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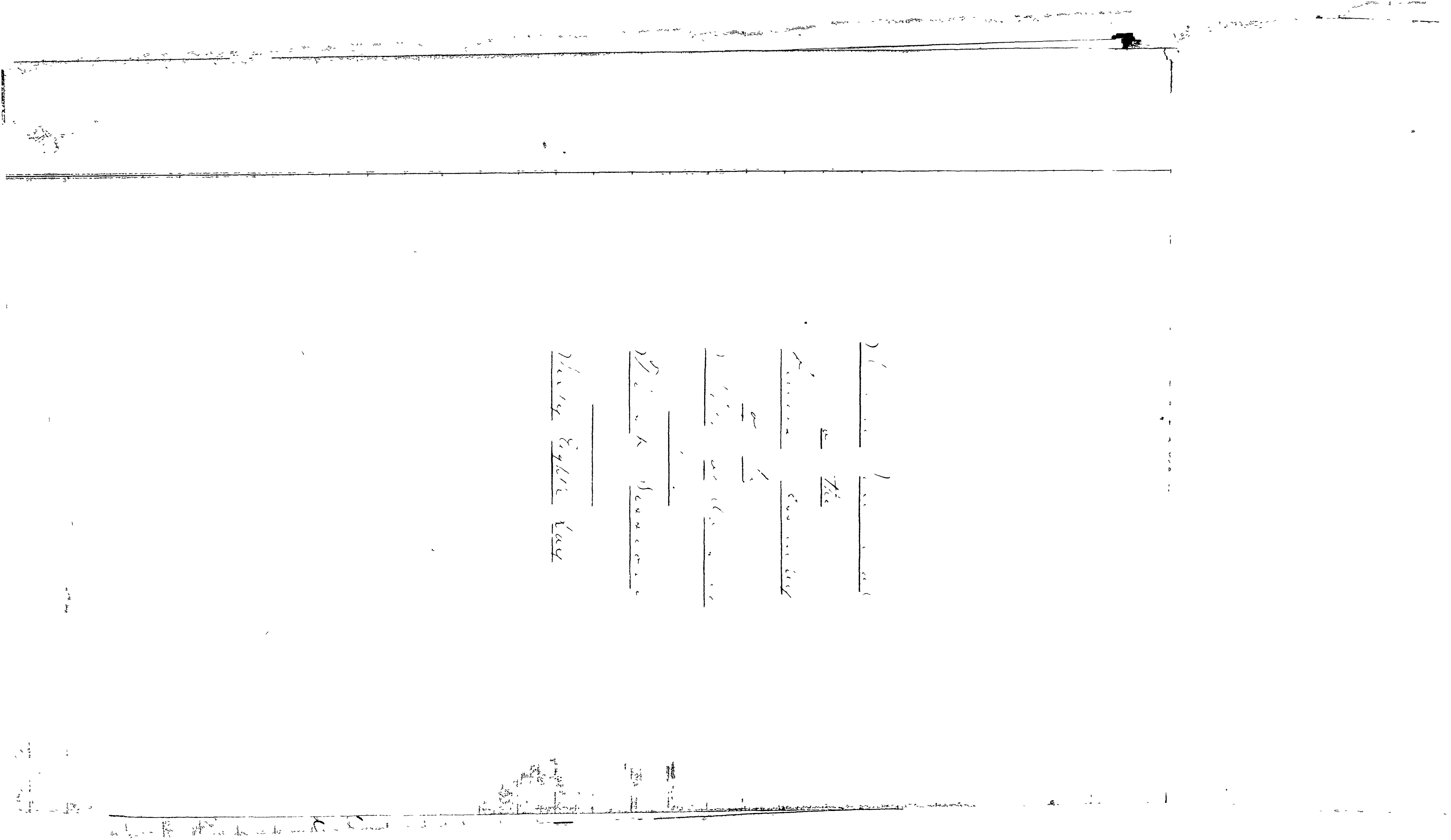

House met at ~~10~~ 11 a.m.

Speaker in the chair.

Prayer by the chaplain

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MORELHOUSE, MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A D, WILSON, GEO. W, YOUNG, MR SPEAKER. 45

Being a quorum of the House

Leave of absence was granted to Messrs Morelhouse, Moss and Simmons.

Journal of the proceedings of yesterday was read and approved.

The Committee on Printing presented the following report:

Mr Speaker:

The Committee on Printing report amended H.B. No. 151 as correctly printed, and amended H.B. No. 159 corrected as follows: In title of bill ~~second~~ second line for "held" read "had"

J. Wilson
Chairman

The Committee on Claims presented the following reports:

MR. SPEAKER:

Your Committee on Claims

to whom was referred H.B. No. 116, a bill for an Act to require the procuring of licenses by corporations or persons paying no State and County tax on business or capital invested in business in this State

have had the same under consideration, and report it back with the recommendation that it be laid on the table

T. J. Watts Chairman.

MR. SPEAKER:

Your Committee on Claims

to whom was referred House Bills No. 115, 117 and 158 all being Acts cut from the Statutes

have had the same under consideration, and report ~~it~~ them back with the recommendation that ~~it~~ they be laid on the table

T. J. Watts Chairman.

F. C. [illegible] committee [illegible] presented the following reports:

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 58
A Bill for an act to repeal Sec. 16, of Chap. 55 of the revised Statutes of Colorado

and find the same correctly engrossed, as amended

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 65
A Bill for an act to enable Counties having a debt exceeding $5000 to fund the same by issuing bonds

and find the same correctly engrossed.

N. C. Alford, Chairman.

Mr Adams presented H.C.R. No. 15 In relation to adjournment Sine die on the 19th day of February 1899.

Mr Ransom moved that the resolution be referred to the Committee on Finance, Ways and Means,

And moved the previous question upon the motion to ~~adopt~~ refer,

Which was not seconded,

The question recurring upon the motion to refer,

The motion prevailed,

Mr. Ransom moved that H.B. No. 68, be taken from the table and placed on General Orders,

And upon this motion demanded the "Yeas" and "Nays"

Which were had with the following result:

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, ~~GREEN~~, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, ~~KRUSE~~, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES~~, SURLES, VIJIL, ~~WATTS, WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER.—23

Gentlemen voting in the negative were:

ADAMS, ALBERTS, ~~ALFORD, ARCHULETA~~, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, LUTHER, ~~MAYER~~, MARSHMAN, ~~McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL~~, WATTS, WILKINS, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~.—18

Gentlemen answer
and cast voting vote;
Green, Hale, Irwin,
McDulye, Monkhouse, Moss, Phelps,
Simmons — 8

And as the motion prevailed,

S.B. No. 36. a bill for an act to prohibit the herding of sheep in the neighborhood of Cities and Towns,

Also,

H.B. No. 267 a bill for an act to reimburse the County of Arapahoe,

Were read a first time,

S.B. No. 26. A bill for an act to provide for the formation of Corporations,

Was read a second time,

And placed on General Order to be considered in Committee of the whole House,

The hour having arrived for the consideration of the Special Order, being H.B. No. 75.

Mr Alford moved that the further consideration of H.B. No. 75, be postponed until Thursday, February 8. at ten o clock in the morning,

which section was read,

S.B. No 23. A bill for an act to repeal certain laws relating to Corporations,

Also,

S.B. No. 117. A bill for an act to repeal Sec. 273 of Chap. 22 of the revised Statutes, and to enact other provisions in lieu thereof,

Also,

S.B. No. 31, A bill for an act to provide for the establishment of a fiscal Agency for the State of Colorado in the city of New York, and prescribing the duties of officers in relation thereto,

Also,

S.B. No. 54 A bill for an act to provide for the public printing and publishing and distribution of the laws,

Also,

H.B. No. 254. A bill for an act to amend Sec. 11 of Chap. 97 of the revised Statutes of Colorado relating to the abandonment of Claims upon the public domain,

Also,

H.B. No. 257, a bill for an act to legalize the proceedings of the Probate Court of Rio Grande County, Colorado had in divorce cases,

Was read a second time

And placed on General Orders to be considered in Committee of the whole House,

The following message was received from the Senate,

State of Colorado
Senate Chamber
Denver, Feby. 1. 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has concurred in amendments proposed by the House to S.B. No. 35. "A Bill for an act to regulate the compensation of the Mayor, Aldermen & Trustees of Cities and Towns,

Also

Has passed S.M. & J.R. No. 12" To the Congress of the United States praying for the Establishment of a Military Post ~~[illegible]~~

between Trout, Dyer & Union and near the line between Colorado & New Mexico" and

S.B. No. 110. entitled "A Bill for an act to amend chapter 61, of the revised Statutes of Colorado" Also

Have amended and passed H.B. No. 8 entitled "A Bill for an Act to provide for the payment of salaries to Officers of the Executive and Judicial Departments of the State of Colorado."

The concurrence of the House is requested in S.M. & J.R. No. 12, S.B. No. 110, and amendments to H.B. No. 8. Act of which is herewith transmitted,

Respectfully
Geo F. Clark
Secy of the Senate.

Reports of Committees were taken up and disposed of as follows;

Report of the Committee on Claims, relative to H.B. No. 99, recommending that it be laid on the table,

Mr Ransom moved that the report of the Committee be agreed to,

which motion prevailed,

Report of Committee of Claims, relative to H.B. No. 115, H.B. No. 117, and H.B. No. 158, recommending that they be laid on the table,

Mr Smith moved that the report of the Committee be agreed to,

Which motion prevailed,

H.B. No. 30, a bill for an act to provide for the protection of wild game and insectivorous birds

Was read a third time,

Mr Stokes moved to amend Sec. 3, by striking out the proviso relative to professional taxidermists,

Which motion prevailed,

Mr Matthews moved to amend Sec 1 by striking out the word "Grouse,"

Which motion was lost,

The question being upon the passage of the bill,

The "Nays" and "Nays" were had, &

Gentlemen voting in the affirmative were!

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, ~~CHAVES~~, CARLILE, ~~ESQUIBEL~~, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE, LANGFORD, LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. — 32 —

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON~~, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. — 8

Gentlemen absent and not voting now;

Hulen, Irwin, Lake, Morehouse, Moss, Phelps, Simmons, Vijil, A. D. Wilson — 9

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

S. B. No. 21, a bill for an act relating to Bonds and interest thereon heretofore issued by Counties, Cities and Towns

Was read a third time,

Mr. Price moved that its further consideration be postponed for the present,

Which motion prevailed.

H. B. No. 58. a bill for an act to repeal Sec. 16. of Chap. 55. of the revised Statutes of Colorado.

Was read a third time.

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

~~ADAM~~S, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLIL~~E, ~~ESQUIBEL, GOTTHEL~~F, ~~GREEN~~, GRIFFIN, ~~HELM, IRWIN, KITTREDG~~E, KRUSE, LAKE, ~~LANGFORD, LARAGOIT~~E, LEONARD, ~~LORD, LUTHE~~R, MAYER, MARSHMAN, McBROOM, ~~McDERMIT~~T, McINTIRE, ~~McMURRAY, MOREHOUSE, MOS~~S, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, ~~RAND, RANSOM~~, SCHINNER, ~~SEIBER, SIMMONS, SMITH, STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS, WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER.—21

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIEL~~D, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN, HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, LUTHER, ~~MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, ~~RAINEY~~, RAND, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS~~, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. 20

Gentlemen absent and not voting were;

Helm, Irwin, Morehouse, Moss, Phelps, Simmons, Smith, A. D. Wilson. — 8.

A constitutional majority not having voted in favor of the passage of the bill,

The bill failed to pass.

H.B. No. 65. A bill for an act to enable Counties having a debt exceeding five thousand dollars to fund the same by issuing bonds,

Was read a third time.

The question being upon the passage of the bill,
The "yeas" and "nays" were had,
Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ~~ALFORD~~, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, ~~KRUSE~~, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, ~~RAND, RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS, SMITH, STOKES~~, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 38.

Gentlemen voting in the negative were:

Gotthelf, Langford, Rand, Ransom, Stokes — 5.

Gentlemen absent and not voting were:

Alford, Kruse, Morehouse, Moss, Simmons, Smith, — 6

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

The following message was received from the Senate:

State of Colorado
Senate Chamber
Denver, Feby. 1, 1877.

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has passed H.B. No. 199, entitled "A Bill for an act to pay Hannah Beckwith

for Printing One Thousand (1000) Copies of Election Laws herewith transmitted

Respectfully
Geo. F. Clark
Secy of the Senate.

H.B. No. 316, a bill for an act to establish and provide means for the support of a department to regulate Insurance Companies doing business in the State of Colorado,

Was read a third time,

Mr Langford moved to amend Sec. 2. by striking out "three" and inserting "two" in lieu thereof, in relation to the salary of the Superintendent

Which motion was lost,

Mr Irwin moved to amend Sec. 8. by striking out "ten" and inserting in lieu thereof "thirty" relation to the Superintendents bonds

Which motion prevailed,

Mr Watts moved to amend Sec. 2 by making the Superintendents Salary "twenty five hundred" instead of "three thousand dollars"

Which motion prevailed,

Mr Mayer moved to amend Sec. 16, in relation to unimpaired capital, by making it "$200,000,"

instead of "400,000".

Which motion prevailed,

Mr Irwin moved that Sec. 4. be amended by striking out the words "at a compensation not exceeding four dollars per diem," and inserting in lieu thereof the words "solely at his own expense,"

Which motion was lost.

Mr Irwin moved to amend Sec 4, by striking out all word commencing with the words "The Superintendent" in line 7. and ending with the words "and report therein" in line 11 of the printed copy -

Which motion was lost.

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF,~~ GREEN, GRIFFIN, HELM, ~~IRWIN~~, KITTREDGE, ~~KRUSE~~, LAKE, ~~LANGFORD, LARAGOITE~~, ~~LEONARD, LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, ~~RAND, RANSOM~~, SCHINNER, ~~SEIBER, SIMMONS, SMITH, STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. 23

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, ~~GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, ~~MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS~~, SMITH, STOKES, ~~SURLES, VIJIL, WATTS~~, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. 20

Gentlemen absent and not voting were:

Albarts, Laragoite, Morehouse, Moss, Simmons, A.D. Wilson -- 6

A constitutional majority not having voted in favor of the passage of the bill,

The bill failed to pass,

Mr. Rand moved that the vote by which H.B. No. 36. failed to pass, be reconsidered,

And that the motion to reconsider be laid on the table,

And upon the motion to lay on the table

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ~~ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, ~~GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE,~~ LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, ~~MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS~~, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~ — 20

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF~~, GREEN, GRIFFIN, HELM, ~~IRWIN~~, KITTREDGE, ~~KRUSE~~, LAKE, ~~LANGFORD~~, LARAGOITE, ~~LEONARD, LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY, RAND, RANSOM~~, SCHINNER, ~~SEIBER, SIMMONS~~, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 25

Gentlemen absent and not voting were:

Morehouse, Moss, Simmons, A. D. Wilson — 4.

And so the motion to lay on the table did not prevail.

The question recurring upon the motion to reconsider

The motion prevailed.

Mr. Hunt moved that the further consideration of H.R. No. 36, be made a Special Order for Tuesday next, February 6, 1877, at two o'clock in the afternoon.

Mr Adams moved as an amendment that it be made a Special Order for March 1.

Which motion to amend did not prevail,

The question recurring upon the motion to make it a Special Order for Tuesday Feby. 6. 1877, at two o'clock in the afternoon,

The motion prevailed,

Mr Rand moved that the House do now take a recess until two o'clock this afternoon,

Which motion prevailed,

And at 12.05 P.M. the House took a recess.

The House was called to order at 2. P.M. by the Speaker,

Mr Carlile was excused from attendance upon this afternoons session of the House

By unanimous consent -

[illegible] and [illegible] amendments [illegible] the following report:

MR. SPEAKER:

Your Committee on Elections & Apportionment *to whom was referred* H.B. No. 174. A Bill for an act concerning damages, and to repeal an act entitled an act concerning damages approved Feby. 8. 1872 *have had the same under consideration, and report it back* ~~with the~~ without *recommendation that it be*

D. H. Krause *Chairman.*

Mr Kittredge moved that H.B. No. 174 be now read a first time.

Which motion prevailed, as

H.B. No. 174, a bill for an act concerning damages, and to repeal an act entitled an act concerning damages, approved Feby. 8. 1872

Was read a first time.

The joint committee on Enrollment presented the following report:

MR. SPEAKER:

The Joint Committee on Enrollment presented H.M. No. 8. Memorial to Congress for grant of arid lands for irrigating purposes; Also S.M. & J.R. No. 3. Asking Congress to establish and maintain a Mint for Coinage at Denver Colorado; Also S.B. No. 77 A Bill for an act concerning Lieutenant

to his Excellency, the Governor, for his approval, at ..... o'clock, ... m.,

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

MR. SPEAKER:

The Joint Committee on enrollment have examined S.B. No. 55. "A Bill for an Act to compel owners of Coal Mines to fence their Slack piles and abandoned pits" Also, S.B. No. 147 a Bill for an act to provide for the proper representation of the products and Manufactures of the State of Colorado at the Paris Exposition in the year A.D. ~~1877~~ 1878

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

[illegible] in the House, viz.

H.M. & J.R. No. 3. asking Congress to establish a Mint for Coinage at Denver,

Also,

H.M. & J.R. No. 8. asking Congress for grant of arid lands for irrigating purposes,

Also,

S.B. No. 55. a bill an act to compel owners of coal mines to fence their slack piles and and abandoned pits,

Also,

S.B. No. 77. a bill for an act concerning interest,

Also

S.B. No. 147. a Bill for an act to provide for the proper representation of the products and manufactures of the State of Colorado at the Paris Exposition in 1878.

Mr Adams moved that the House do now go into Committee of the Whole for the further consideration of bills on General Orders

which motion prevailed

and the House resolved itself in Committee of the whole,

"Mr Speaker, the Committee
after so much time spent therein
the Committee arose and through its
Chairman presented the following report,
"Mr Speaker; The Committee
of the whole House have had under con-
sideration, (H.B. No. 45, a bill for

AN ACT TO PROVIDE FOR THE PROTECTION, PRESERVATION AND PROPAGATION OF FISH AND TO REPEAL AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE PROTECTION OF FISH IN COLORADO TERRITORY," APPROVED FEBRUARY 11, 1870: AND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO PROVIDE FOR THE PROTECTION OF FISH IN COLORADO TERRTORY, APPROVED FEBRUARY 11, 1870,'" APPROVED FEBRUARY 9, 1872: AND AN ACT ENTITLED "AN ACT TO ENCOURAGE THE PROPAGATION OF FISH IN COLORADO TERRITORY," APPROTED FEBRUARY 13, 1874."

have made some amendments thereto, and
instruct me to report the same back
to the House with the recommendation
the amendments be concurred in, and
passed as amended," Also,
"H.B. No. 94. a bill for an act
relating to the exemption of volunteer firemen as jurors and from
paying a poll tax in the State of Colorado,"
have made some amendments thereto,
and instruct me to report the same back
to the House with the recommendation that
the amendments be agreed to, and recommend
its passage as amended," Also
"H.B. No. 95, a bill for an act
to amend an act to amend Chapter fifty-five

of the committee of Ways and Means entitled "Limitations upon the Summary [illegible]" and instructed to report the same back to the House and recommend its passage.

Geo Rand.
Chairman.

Mr Watts moved to strike out the amendment made by the Committee of the whole in lines 6 and 8 of Sec. 1 of H.B. No. 94. providing that certain provisions of the bill should apply only to cities having a population of 8000 or more.

Mr Kuse called for a division of the question.

The question was first taken on the motion to strike out the amendment made in line 6.

Which motion prevailed.

The question then being taken upon the motion to strike out the ~~last~~ amendment made in line 8.

Which motion prevailed.

Mr Alford moved that the report of the Committee be agreed to as amended.

Which motion prevailed.

And the amendments proposed by the Committee of the whole ~~be engrossed~~ were ordered printed.

Mr Phelps moved that the rules be suspended, read a third time now and put upon its final passage.

Which motion prevailed, and

H.B. No. 45, a bill for an act to repeal an act to amend chap. No. 55, of the revised Statutes of Colorado entitled limitations,

was read a third time.

The question being upon the passage of the bill,
The "yeas" and "nays" were called.
Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, GREEN, GRIFFIN, HELM, ~~IRWIN, KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, ~~RAND, RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES~~, ~~SURLES~~, VIJIL, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER — 9

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. 12

Gentlemen absent and not voting were:

Albertson, Carlile, Irwin, Morehouse, Moss, Simmons, Wilkins, A. D. Wilson — 8

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.

Mr Phelps moved to amend the title by adding thereto the words, "and relating to

[illegible]

which motion prevailed,

and the title so amended;

was agreed to,

Mr Phelps moved that the vote by which H.B. No. 95, passed, be reconsidered, and that the motion to reconsider be laid on the table,

And upon the motion to lay on the table

Mr Kittredge demanded the "Ayes" and "Nays",

Which were had with the following result;

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARL~~ ~~ESQUIBEL~~, GOTTHELF, ~~GREEN~~, GRIFFIN, HELM, ~~IRWIN, KITTREDGE~~, KRUSE, LA~~KE~~, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, McBROOM, ~~McDERMITT, McINTIRE~~, ~~McMURRAY, MOREHOUSE, MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY, RAND, RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES~~, SURLES, VIJIL, ~~WATTS, WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER.— 25

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM~~, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, RAND, RANSOM, ~~SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 17

Gentlemen absent and not voting were;

Alberts, Carlile, Irwin, Morehouse, Moss, Simmons, A. D. Wilson — 7

And so the motion to lay on the table prevailed.

The Committee on Enrollment reported the following bills:

MR. SPEAKER:

Your Committee on Enrollment have examined H.R. No. 199, a Bill for an act to pay Thomas Dickens for printing one thousand copies of the Election Laws

and find the same correctly enrolled.

A. A. Smith, Chairman.

The Committee on Engrossment presented the following reports:

MR. SPEAKER:

Your Committee on Engrossment have examined H.J.R. Memorial to the Secretary of War praying for the establishing of a Military Post in the Upper Peninsula of the State of

and find the same correctly engrossed.

N. C. Alford, Chairman

Mr. Speaker,

Your Committee on Engrossment have examined H.B. No. 102, a Bill for

AN ACT TO ESTABLISH THE OFFICE OF COMMISSIONER OF MINES, AND TO REPEAL AN ACT, ENTITLED, "AN ACT TO ESTABLISH A TERRITORIAL ASSAY OFFICE," APPROVED JANUARY 10, 1868; ALSO, "AN ACT TO ESTABLISH ASSAY OFFICES IN COLORADO TERRITORY," APPROVED FEBRUARY 8, 1872; ALSO, "AN ACT TO ESTABLISH ASSAY OFFICES IN COLORADO TERRITORY," APPROVED FEBRUARY 10, 1874; ALSO, "AN ACT TO AMEND AN ACT ENTITLED AN ACT TO ESTABLISH ASSAY OFFICES IN COLORADO TERRITORY," APPROVED FEBRUARY 11, 1876."

and find the same correctly Engrossed as amended;

The Special Committee on Practice presented the following report:

To the Speaker of the House of Representatives:

The Committee appointed under House Concurrent Resolution No. 15, to consider and report upon practice acts pending before the General Assembly respectfully beg leave to state that ~~that~~ they have had House Bill No. 87, under consideration, and report the same back with amendments and recommend that the amendments so embodied in an amended Bill herewith transmitted be agreed to and that the Bill as amended be put upon its first reading.

Alfred Buttrey
M. Sarazquita
S. B. U. Haynes

J. Pullinger
A. S. Nelson
C. H. McIntyre
J. C. Hylen.
Richard Hylen.
Henry Hanson.

Mr Alford moved that the report of the committee be agreed to,

Which motion prevailed.

Mr Hylen moved that when the House adjourn this afternoon, it be to meet at 7 o'clock this evening.

And that the first reading of H.B. No. 87 be made a Special Order for that hour,

Which motion prevailed.

Mr Hylen moved that the amendments proposed by the Special Committee, to H.B. No. 87. be ordered printed.

Which motion prevailed.

Mr Alford moved that the House do now adjourn,

Which motion prevailed.

And at 4:35 P.M. the House adjourned to seven o'clock this evening

House met at 7 P.M.

Speaker in the chair.

~~Prayer by the chaplain~~.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD, CHACON~~, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, ~~IRWIN, KITTREDGE~~, KRUSE, LAKE, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS, PIERCE~~, ~~RAINEY~~, RAND, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. - 32

Being a quorum of the House.

Absent Messrs

Canfield, Chacon, Carlile, Irwin, Kittredge, Lake, Laragoite, Leonard, McDermitt, Morehouse, Moss, Phelps, Pierce, Rainey, Schinner, Simmons, Wilkins -

Messrs Rainey, Pierce, and Leonard were excused from attendance upon this evening session of the House.

H.B. No. 87. A bill for an act providing a system of procedure in civil actions in the courts of justice of the State of Colorado.

Was read a first time.

Mr McBroom moved that the House do now adjourn,

which motion prevailed.

And at 8:30 the House adjourned to 9:15 A.M., tomorrow Friday, February 8, 1877

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Sixty Ninth Day

Sixty Ninth Day

Friday February 7. 1877.

House met at 9:15 a m

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, ~~VIGIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 43

Being a quorum of the House.

Absent Messrs:

Carlile, Irwin, Morehouse, Moss, Simmons, Vigil. — 6

Journal of the previous day's session was read and approved,

The Joint Committee on Enrollment presented the following report;

MR. SPEAKER:

The Joint Committee on enrollment have examined HB No. 199 An Act to pay Herman Beckers for printing one thousand Copies (1000) of Election Laws

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The Committee on Roads and Bridges presented the following report:

MR. SPEAKER:

Your Committee on Roads & Bridges *to whom was referred* H.B. No. 176 An act to repeal an act providing for the fencing of lands where grass is cut and put up stacks in San Miguel County *have had the same under consideration, and report it back* ~~with~~ without *the recommendation* ~~that it be~~

Geo A Putten Chairman

The Committee on Printing presented the following report

Mr Speaker:

The committee on Printing report Amendments to H.B. No. 44 corrected as follows; Amendments proposed by Mr Phelps line 40 for "March" read "May."

J. Durbin
Chairman.

At 9.45 A.M. the Speaker in the presence of the House signed H.B. No. 199. A Bill for

an Act to pay Herman Decker for printing one thousand Copies of Elections Laws,

The Message from the Senate, relative to the action of the Senate on House amendments to S.B. No. 38 was taken up.

The Senate having refused to concur in certain House amendments,

And having made amendments to amendments of the House,

Mr Phelps moved that the House do not concur in Senate amendments, and that the House insist on its amendments,

Which motion prevailed,

Senate Amendments to H.B. No. 8 were then Taken up,

Mr Phelps moved that the House do not concur in Senate amendment to H.B. No. 8 and that a committee of Conference be asked for,

Which motion prevailed,

and the Speaker appointed on the Committee of Conference on the part of the House,

Messrs Allen, Adams & Canfield.

SM & JR No. 1x. asking Congress to establish a Military Road between Fort Lyon and Union,

Also

S.B. No. 140. a bill for an act to amend Chap. 61 of the revised Statutes of Colorado.

Also,

H.B. No. 176, a bill for an act to repeal an act providing for the fencing of land where grass is cut and put in stacks in Las Animas County.

Were read a first time

S.B. No. 36. A bill for an Act to prohibit the herding of sheep in the neighborhood of cities and Towns.

Also,

H.B. No. 267. a bill for an act to reimburse the County of Arapahoe,

Were read a second time, and placed on General Orders to be considered in Committee of the Whole House,

Mr Philips moved that the second reading of H.B. No. 87. be postponed until this coming at 7. o'clock at which time it be made a Special Order.

And upon this motion the "Yeas" and "Nays" were had with the following result

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, ~~GREEN, GRIFFIN, HELM~~, IRWIN, KITTREDGE, ~~KRUSE~~, ~~LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY, RAND~~, RANSOM, SCHINNER, SEIBER, ~~SIMMONS, SMITH~~, STOKES, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D, WILSON, GEO. W., YOUNG, MR. SPEAKER. 28

Gentlemen voting in the negative were:

~~ADAMS~~, ALBERTS, ~~ALFORD, ARCHULETA~~, CANFIELD, ~~CHACON, CHAVES, CARLILE~~, ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, ~~HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD~~, LARAGOITE, ~~LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, ~~VIJIL, WATTS~~, WILKINS, WILSON, ~~A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 13

Gentlemen absent and not voting were;

Chacon, Chaves, Carlile, Leonard, Morehouse, Moss, Simmons, Vijil — 8.

And so the motion to make a special order prevailed.

H.J.R. No. 9. Asking the Secretary of War to establish a Military Post in the Uncompahgre Valley,

Was read a third time.

Mr McDuffy moved to amend by inserting the following after the word "property" in the 15th line of the printed resolution;

"And your memorialists would further represent that the entire length of the Uncompahgre Valley from the town of Ouray to the western line of the State of Colorado is one of the best agricultural

and pastoral portions of Colorado, and with proper protection will be inhabited by a thrifty people who when located there, will be of great ~~benefit~~ benefit not only to themselves but to the miners and mining interests of the great San Juan Mining Country

which motion to amend prevailed.

The question being upon the passage of the ~~bill~~ Joint Resolution

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES~~, SURLES, VIJIL, ~~WATTS~~, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. — 40

And Mr Watts, — 1

In the negative,

Gentlemen absent and not voting were;

Carlile, Griffin — Leonard, Morehouse, Moss, Simmons, Stokes, Young — 8.

A constitutional majority having voted in favor of the passage of the joint resolution,

The Joint Resolution passed.

H.B. No. 10 v. a bill for an act to establish the office of Commissioner of Mines, and to repeal an act entitled, An act to establish a Territorial Assay office, Approved

January 10. 1868. Also, An act to establish assay offices in Colorado Territory, Approved Feby. 8. 1872. Also, An act to establish assay Offices in Colorado Territory, Approved Feby 10. 1874. Also An act to amend an act entitled an act to establish assay offices in Colorado Territory Approved July 11. 1876.

Was read a third time,

Mr Lake moved to amend Sec. 1 by adding the following words:

Provided That when a ~~vac~~ vacancy shall exist in the forgoing office, and the Senate shall not be in session, the Governor shall have power to appoint said Commissioner of Mines who shall perform the duties and receive the compensation of such office as hereinafter provided until the next session of the General Assembly when the Governor shall submit such appointment to the Senate for their approval or rejection

Which motion prevailed,

Mr Lake moved to amend Sec. 1 by striking out the words "quality of" and inserting in lieu ~~thereof~~ the words "the condition of the air in the mine and the"

Which motion prevailed,

Mr Lake moved to amend Sec. 13. by striking out the words "as now provided by law" in relation to salary of the assistant Commissioner of Mines.

Which motion prevailed.

Mr Lake moved to amend Sec. 13 by inserting the following words after the word "annum" where it occurs the second time in the bill: That on and after the year 1877 the salary of the Commissioner and deputy Commissioner of Mines and assistant, as well as the contingent Expenses of the same shall be paid out of the fund provided for the support of the school of Mines,

Which motion prevailed.

Mr Lake moved to amend Sec. 13. by striking out the word "such" and inserting the word "the" in lieu thereof.

Which motion prevailed.

Mr Lake moved to amend Sec. 15 by striking out the words "the books of" and insert in lieu thereof the words "all the workings in any coal mine owned or worked by"

Which motion prevailed.

Mr Lake moved to amend Sec. 15 by striking out the words "working coal mine" and also the words "such books".

Which motion prevailed.

Mr Phelps moved to amend Sec. 7. by striking out the word "must" and inserting in lieu thereof of the word "shall"

Which motion prevailed.

Mr Phelps moved that H.B. No. 102 be ordered reengrossed, the amendments ordered printed, and that its further consideration be made a special Order for Tuesday next February 6. 1877. immediately after the reading of the Journal.

Which motion prevailed.

The following message was received from the Senate:

State of Colorado
Senate Chamber
Denver Feby. 2. 1877.

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has appointed as members on part of the Senate, of Committee of Conference on H.B. No. 8. relating to Salaries to Officers of Executive & Judicial Departments — Messrs Rockwell, Moynahan & Ellsworth

Respectfully
Geo T Clark
Secy of the Senate.

Mr Kruse was excused from attendance upon the remainder of today's session of the House.

Mr Watts moved that the House do now go into Committee of the whole for the consideration of bills on General Orders,

Which motion prevailed.

And the House resolved itself into Committee of the whole, ~~not~~

With Mr Price in the Chair.

After some time spent therein the Committee arose and through its Chairman presented the following report:—

Mr Speaker:— The Committee of the whole House have had ~~the same~~ under consideration

H.B. No. 246, A bill for an act concerning Irrigation,

And instruct me to report the same back to the House with the recommendation that its consideration be postponed for the present; also

H.B. No. 104 A bill for an act to regulate the practice of medicine,

And instruct me to report the same back to the House ~~with~~ with the recommendation that it be placed at the head of General Orders for tomorrow; also

H.B. No. 212 a Bill for an Act concerning Municipal Corporations,

And instruct me to report the same back to the House with the recommendation that it be recommitted to the Committee on Corporations, also

S.B. No. 79. A bill for an act to designate the holidays to be observed in the acceptance and payment of bills of exchange and promissory notes, in the holding of courts and relation to the continuance of suits,

And instruct me to report the same back to the House and recommend its passage; Also

H.B. No. 55. A bill for an Act in relation to the jurisdiction of justices of the peace, and the practice of justice courts,

And without coming to any decision thereon instruct me to report progress,

W. H. Pierce
Chairman

Mr McCutcyn moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,

Mr Speaker Anthony asked and was granted leave of absence for the afternoon,

And announced Mr

McIntyre as the Speaker pro tem for this afternoons session of the House.

Mr Marshman was granted leave of absence until Monday next, February 5, 1877.

Mr H. W. Wilson moved that the House do now take a recess until two o'clock this afternoon.

Which motion prevailed.

And at 12:20 P.M the House took a recess.

The House was called to order at 2 P.M. by Mr McIntyre, Speaker pro tem.

The Joint Committee on Enrollment presented the following reports:

MR. SPEAKER;

The Joint Committee on enrollment have examined S.B. No. 95 An Act to regulate the compensation of the Mayor Aldermen and Assistant Assessors of Cities and Towns

[illegible] the same correctly enrolled.

[illegible]

MR. SPEAKER:

The Joint Committee on Enrollment presented S.B. No. 55. A bill for an act to compel owners of coal mines to fence their slack piles and abandoned Pits" also S.B. No. 77. A bill for an act concerning interest" also S.M. & J.R. No. 8. Memorial to Congress for grant of arid land for irrigating purposes

to his Excellency, the Governor, for his approval, at 5 10 o'clock, P. m., February 1st A.D. 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

MR. SPEAKER:

The Joint Committee on Enrollment presented S.B. No. 147. A bill for an act to provide for the proper representation of the products and manufactures of the State of Colorado at the Paris Exposition in the [illegible] A.D. 18[illegible]. Also S.M. + J.R. [illegible] asking Congress to establish and maintain a mint for coinage at Denver Colorado

to his Excellency, the Governor, for his approval, at 5 10 o'clock, P. m., February 1st A.D. 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

Mr Lake was granted leave of absence until Monday next, February 6, 1877.

Mr Price moved that Mr Carlile be granted leave of absence for one week

Which motion prevailed.

Mr Ransom moved that the House do now resolve itself into Committee of the whole for the consideration of bills on General Orders,

Which motion prevailed, and the House resolved itself into committee of the whole with Mr Pierce in the Chair

~~Left~~ after some time spent therein the committee arose and through its Chairman presented the following report:

Mr Speaker:— The Committee of the whole House have had further under consideration

H.B. No. 55, a bill for an act in relation to the jurisdiction of justices of the peace, and the practice of justice courts,

Have made some amendments thereto and instruct me to report the same back to the House with the recommendation that the amendments

be agreed to, and that it be passed as amended; Also

H.B. No 89. A bill for an act relating to the rights and duties of landlord and tenants

Have made some amendments thereto and instruct me to report the same back to the House with the recommendation that the amendments be agreed to; also

H.B. No. 175. A bill for an act to amend the existing laws of forcible Entry and detainer in respect to service, demand and process,

Have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to; also

H.B. No. 101. and instruct me to report the same back with the recommendation that its consideration be postponed for the present; Also

H.B. No. 160. and instruct me to report the same back to the House with the recommendation that it retain its place on the Calendar; also

H.B. No. 125. A bill for an act to regulate the conditions of appeal bonds and supersedeas bonds, where the judgment or decree complained of is for the recovery of land or in the possession thereof.

Have made some amendments thereto, and instruct me to report the same

back to the House with the recommendation that the amendments be agreed to; Also

H.B. No. 70. and instruct me to report the same back to the House with the recommendation that it be laid on the table; Also

S.B. No. 31. a bill for an Act to provide for the establishment of a Fiscal Agency for the state ~~of Col~~ of Colorado in the City of New York, and prescribing the duties of officers in relation thereto,

Have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to; Also

S.B. No. 119 a bill for an Act to provide for the payment of the balance due A.R. Dyer and C. Dominguez for translating the Constitution of Colorado into the Spanish language,

Have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to; Also

H.B. No. 24. a bill for an Act to prohibit and punish the importation, manufacture, and sale of adulterated, ~~imi~~ imitation and poisonous liquors, and creating a commission of Excise, and prescribing his duties,

And instruct me to report

the same back to the House with the recommendation that its consideration be postponed for the present; Also

H.B. No. 63. a bill for an act to repeal Sec. 7 of Chapter 35 of the Revised Statutes of the Territory of Colorado, and enact other provisions in lieu thereof.

And instruct me to report the same back to the House and recommend its passage; Also

S.B. No. 62. A Bill for an Act to provide a Seal for the Supreme Court of the State of Colorado,

And instruct me to report the same back to the House with the recommendation that it be passed to a third reading; Also

S.B. No. 26, a bill for an act to provide for the formation of Corporations

And instruct me to report the same back to the House with the recommendation that its consideration be postponed for the ~~present~~ present; Also

S.B. No. 54, a bill for an act to provide for the public printing and publishing and distribution of the laws,

Have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments

be agreed to!

W. H. Pierce

Chairman,

Mr McBroom moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,

And the amendments proposed by the committee of the whole were ordered printed,

The following message was received from the Senate!

State of Colorado

Senate Chamber

Denver Feby 7. 1877.

To the Honorable

The House of Representatives

of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has passed S.B. No. 37. "A Bill for an act to establish and maintain a system of Free Schools." &

S.B. No. 121. entitled "A Bill for an act regulating the practice in cases of Preliminary Examination before Justices of the Peace while acting as conservators of the Peace" both of which are herewith transmitted,

The concurrence of the House is requested.

Respectfully

Geo F Clark

Secy of the Senate

The following communication was received from His Excellency, the Governor,

State of Colorado
Executive Dept.
Denver Feby. 7. 1877

Hon W. D. Anthony
Speaker of House of Representatives
Sir:

I have the honor to inform you, that I have signed H.J.R. No. 8, entitled "Memorial to the Honorable the Senate & House of Representatives of the U.S. of America in Congress assembled, asking that a mail route be established between Ouray and Animas Forks" and have filed the same with the Secretary of State,

Very respectfully
John L. Routt,
Governor.

Mr Young was granted leave of absence until until Monday next Feby. 5, 1877.

Mr Green moved that the vote by which H.B. No. 58. was lost on yesterday, be reconsidered,

Mr Phelps moved that the consideration of the motion to reconsider be postponed until next Tuesday, February, 6, 1877.

Which motion prevailed,

Mr Saraqoite moved that the House do now adjourn,

Which motion was lost,

Messrs Prince and Kittredge were excused from attendance upon this evening session of the House,

Mr Ransom moved that the House do now take a recess until 7 o'clock this evening

Which motion prevailed,

And at 4:50 P.M. the House took a recess,

The House was called to order at 7. P.M by the Speaker,

The hour having arrived for the consideration of the Special Order,

H.B. No. 87. a bill for an act providing a system of procedure in civil actions in the courts of the State of Colorado,

Was being read a second time, when

Mr Hatchel moved that the House do now adjourn,

Which motion was lost,

And the second reading of H.B. No. 87. was resumed and completed

Mr McBroom moved that the House do now adjourn

Which motion prevailed

And at 9:15 P.M. the House ~~adjourn~~ adjourned to 9:15 A.M. tomorrow, Saturday, Feby. 3. 1877

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Seventieth Day

Ninth Day

Saturday, February 3 1897

House met at 9:15
Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER — 39

Being a quorum of the House.

Absent Members,
Canfield, Carlile, Irwin, Lake, Marshman, Morehouse, Moss, Phelps, Simmons — Young — 10

Journal of the previous days session was read and approved.

Mr McIntyre presented petition of the County Commissioners of San Juan county, praying for the passage of a law to legalize assessments, etc., in said county of San Juan,

Mr McIntyre moved that the petition be placed on file to be considered in connection with H.B. No. 207.

Which motion prevailed.

At 9:35 A.M. the Speaker, in the presence of the House, signed

S.B. No. 85, a bill for an act to regulate the compensation of the Mayor, Alderman & Trustees of cities and towns.

The Committee on Appropriations and Expenditures presented the following report;

MR. SPEAKER:

Your Committee on Appropriations & Expenditures *to whom was referred* H.R. No. 71 A Bill for an Act making an appropriation for insane paupers.

have had the [redacted] *consideration, and report it back with the recommendation that it be* passed

A Leonard *Chairman.*

The Committee on Printing presented the following report;

Mr Speaker: The Committee on Printing report House Bill No. 17 in connection as corrected as follows; Sec. 1 line 7 for "interest" read "interest".

Also H.B. No. 267 correctly printed.

J. Warles.
Chairman

The Special Committee having in charge H.R. No. 207. presented the following report;

MR. SPEAKER:

Your Special Committee on _____

to whom was referred H.B. No. 207 An Act to state that they have had the same under consideration, and have made some amendments thereto, which are embodied in an amended bill herewith transmitted ~~tion that it be~~ and recommend that the amendments be agreed to and the amended bill be put upon its passage

E.H. McDuffie Chairman.

H.B. No. 171. A Bill for an act regulating the practice in cases of preliminary examinations before Justices of the Peace while acting as Conservators of the Peace,

Also,

H.B. No. 71 A Bill for an act making an appropriation for insane paupers

Also

H.B. No. 37 A Bill for an act to establish and maintain a system of Free Schools,

Were read a first time,

The following message was received from the Senate;

Senate Chamber

Salem Feby 3. 1877

To the Honorable
The House of Representatives
of the State of Oregon.

I am instructed to inform your Honorable body that the Senate has passed S.B. No. 19. & House B.Bs No. 221 & 236, which are herewith transmitted and requests the concurrence of the House in S.B. No. 19. Also

That the Senate insists upon its amendment to House amendment of Line 46. Sec. 6 in Senate Bill No. 38. relation to Right of Eminent Domain and request the concurrence of the House, also

That the Senate concurs in all amendments proposed by the House to Sections 7. 13. 14. 15 and 17 of said Bill.

S.B. No. 38. is herewith transmitted.

Respectfully
Geo F Clark
Secy of the Senate

Mr. Helm, of the committee of Conference on H.B. No. 8. presented the following minority report;

To the Speaker of the House of Representatives

As a member of the Committee of Conference to whom was submitted, upon disagreement of the two Houses, the question of compensation for the State officials, I respectfully beg leave to submit a minority report and recommend the following Schedule of salaries for said

[illegible] $1200.
Sect. Governor to be fixed by the monthly Secretary of
State $2000 Clerk $1000 Auditor of State $2000
Treasurer $1800 Supt. Public Instruction $1500 Atty Genl.
$1800 Supreme Judges $3500 District Judges $3500
District Attys $800, fees not to exceed $2500.

J. C. Helm.

S M & J.R. No. 1 asking Congress
to establish a Military Road between Fort
Sill and Union,

Also

S.B. No. 140, a bill for an
act to amend Chap. 61, of the revised
statutes of Colorado,

Also

H.B. No. 176, A Bill for an
act to repeal an act providing for the
fencing of lands where grass is cut and
put in stacks in Las Animas County,

Were read a second time
and placed on General
Orders to be considered in Committee of
the whole.

The report of the Special Com-
mittee having in charge H.B. No. 207, re-
commending the ~~adopting~~ adoption of
an amended bill,

Was taken up,

Mr McCutcheon moved that
the report of the Committee be agreed

Which motion was lost

The Resolution that the report be printed, and that the amended bill be placed on file for consideration with original H.B. No. 89 in Committee of the whole,

Which motion prevailed,

Mr Watts moved that the order of business relating to the third reading of bills be dispensed with for the present.

Which motion prevailed,

Mr Pierce moved that the House do now go into Committee of the whole for the consideration of bills on General Order

Which motion prevailed,

And the House resolved itself into committee of the whole,

with Mr Geo W. Wilson in the chair.

After some time spent therein the Committee arose and through its chairman presented the following report,

Mr. Speaker,— The Committee of the whole House have had under consideration

H.B. No. 48. A Bill for an act to provide for regulating prosecutions in cases of bastardy,

Have made some amendments

[illegible] report the same back to the House with the recommendation that the amendment be [illegible] adopted; Also:

H.B. No. 104, A bill for an act to regulate the Practice of Medicine

And instruct me to report the same back to the House with the recommendation that its consideration be postponed for the present; Also

H.B. No. 160, A bill for an act concerning Malicious Prosecution.

And instruct me to report the same back to the House with the recommendation that it be referred to the Judiciary Committee; Also

H.B. No. 36, A bill for an act to provide for the formation of Corporations,

And instruct me to report the same back to the House with the recommendation that its consideration be postponed for the present; Also

H.B. No. 177, A bill for an act to repeal Sec. 773 of Chap 77, of the revised Statutes, and to enact other provisions in lieu thereof.

And instruct me to report the same back to the House and recommend its passage; Also

H.B. No. 257, A bill for an act to legalize the proceedings of the Probate Court of Rio Grande County.

[illegible] amendments thereto and instructed me to report the same back to the House with the recommendation that the amendments be agreed to, and the bill passed as amended; also

H.B. No 267. A bill for an act to reimburse the County of Arapahoe,

And instructions to report the same back to the House ~~and~~ and recommend its passage; also

S.B. No. 36. A bill for an act to prohibit the herding of sheep in the neighborhood of Cities and Towns,

And without coming to any decision thereon instructed me to report progress.

Geo. W. Wilson
Chairman

Mr Smith moved that the report of the Committee of the whole be agreed to

Which motion prevailed.

And the amendments proposed by the committee of the whole were ordered printed.

And H.B. No. 267 was ordered printed as amended.

Mr Price moved to amend H.B. No. 267, by adding thereto the following

[illegible] the money appropriated in this act has for a long time been due and payable, therefore, in the opinion of this General Assembly an emergency exists and this act shall take effect immediately,

Which motion prevailed.

Mr McMurray moved that the House do now take a recess until three o'clock this afternoon,

Which motion prevailed.

And at 12, M the House took a recess.

The House was called to order at two o'clock in the afternoon by the Speaker.

The Joint Committee on Enrollment presented the following report

SPEAKER:

The Joint Committee on Enrollment presented HB 1 An Act to pay Auditor Beckwith for printing 1000 copies of the Election of SB No 35 An Act to regulate the compensation of Judges, Auditors, Inspectors, Clerks and Assessors [illegible]

[illegible] signed at 12 o'clock

[illegible] moved that
the House do now go into Com-
mittee of the whole for the consideration
of bills on the General Orders,
which motion prevailed
and the House resolved
itself into Committee of the whole,
with Mr Thos W. Wilson in
the chair.

After some time spent
therein the Committee arose and
through its Chairman presented the ~~follo~~
following report,

Mr Speaker: The Committee
of the whole House have had under
consideration

S.F.B. No. 36, A bill for an
act to prohibit the herding of Sheep
in the neighborhood of Cities and Towns.

and instruct me to report
the same back to the House with the recom-
mendation that its consideration be postponed
for the present; Also

S M x J.R. No. 18, Asking
Congress to establish a Military Post
between Fort Lyon and Union,

and instruct me to report
the same back to the House with the
recommendation that it be put upon
its final passage, Also

S.B. No 140 A bill for
an act to amend Chap. 60 of the

[illegible]

[illegible] be [illegible]

the House back to the House with the recommendation that it be passed upon its final passage;

Yea, 10 [illegible]

Nays [illegible]

Mr Rand moved that the report of the Committee of the whole be agreed to,

Which motion prevailed.

Mr A. D. Wilson moved that Mr McBroom be granted leave of absence for one week,

~~Upon which Mr Ransom demanded the "Yeas" and "Nays"~~

Which motion prevailed.

Mr Wilkins moved that the House do now adjourn,

Upon which Mr Ransom demanded the "Yeas" and "Nays"

Which were had with the following result:

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, [redacted], ~~ANCHETA~~, ~~CANFIELD~~, ~~CHACON~~, CHAVES, [redacted], ESQUIBEL, ~~GOTTHELF~~, GREEN, ~~GRIFFIN~~, HELM, ~~IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, ~~MAYER, MARSHMAN, McBROOM, McDERMITT~~, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS~~, PIERCE, ~~RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES~~, VIJIL, ~~WATTS~~, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. 13

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS~~, ALFORD, ~~ANCHETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, ~~GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, ~~LUTHER~~, MAYER, ~~MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, ~~McMURRAY~~, ~~MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS, PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, ~~SEIBER, SIMMONS, SMITH~~, STOKES, SURLES, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER

[illegible]

voting aye;

Caufield, Chacon, Carlile, Chiffoni, Irwin, Lake, Lafayette, Marshall, McBroom, Montgomery, Moss, Phelps, Sexton, Simmons, Smith, Young—16

and so the motion to adjourn did not prevail

Mr Ransom moved that the House do now go into committee of the whole for the consideration of H.B. No. 68

Which motion was lost

The Committee on Enrollment presented the following report,

[redacted]

MR. SPEAKER:

Your Committee on Enrollment have examined H.B. No. 276 an act to amend the Charter of Georgetown

and find the same correctly enrolled.

A. A. Smith, Chairman.

Mr Hulen moved that the House do now adjourn,

The resolution be rejected,

Carried at 7:00 P.M. the

House adjourned to 9:15 A.M. Monday,

February 5, 1849

House Journal

of the

General Assembly

of the

State of Colorado

First Session

Twenty-First Day

Sixty-First Day

Monday, February 5th 1877.

House met at 9:15 a.m.
Speaker in the chair.
Prayer by the chaplain.
The roll was called,
And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, ~~IRWIN~~, KITTREDGE, ~~KRUSE~~, ~~LAKE~~, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, ~~MARSHMAN~~, ~~McBROOM~~, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.— 39

Being a quorum of the House.

Absent Messrs Carlile, Irwin, Kruse, Lake, Marshman, McBroom, McMurray, Moss, Phelps, Smith — 10

Journal of the previous days session was read and approved,

The Committee on Counties & County Lines presented the following reports;

MR. SPEAKER:

Your Committee on Counties & County Lines to whom was referred H.B. No. 144 An Act relating to Abstracts from recorder

have had the same under consideration, and report it back with the recommendation that it be laid upon the table it being a copy of old laws

[illegible]

MR. SPEAKER:

Your Committee on Counties & County Lines to whom was referred Affidavits of J. McNely & McKeary, Prunsly & the Petition of W. G. Porter and others — remonstrance against the establishment of the County of Humboldt have had the same under consideration, and report it back with the ~~recommendation that it be~~ Humboldt County H.B. No. 241

C. H. McIntyre Chairman.
J. Gutthelf

MR. SPEAKER:

Your Committee on Counties & County Lines to whom was referred HB No. 241, An Act to create & Establish the County of Humboldt, and also Eight petitions signed by 450 citizens of Fremont County, urging the passage of the same have had the same under consideration, and report it back with the recommendation that it be the bill do pass as amended — amendments herewith transmitted.

C. H. McIntyre Chairman.

MR. SPEAKER:

Your Committee on Counties & County Lines to whom was referred H.B. No. 159. A Bill for an Act concerning official bonds & H.B. No. 175. An Act for the relief of Counties

have had the same under consideration, and report ~~it~~ they back with the recommendation that ~~it be~~ they be laid upon the table, being Copies of old laws

C H McIntyre Chairman.
J. Gottheil

MR. SPEAKER:

Your Committee on Counties & County Lines to whom was referred H.B. No. 178 A bill for an Act entitled an Act concerning fences and enclosures in Lamar County and other counties under certain circumstances, Approved July 12, 1874

have had the same under consideration, and report it back with the recommendation that it be placed on its first reading

C H McIntyre Chairman.
J. Gottheil

Senate message relative to House amendments to S.B. No. 38, was taken up,

Mr Kittredge moved that the House recede from its amendments to Sec. 6; and concur in the Senate amendment thereto, and

Mr Phelps asked a division of the question,

The vote was first taken upon the motion to recede,

Which prevailed,

The question recurring upon the motion to concur,

The "yeas" and "nays" were had, Gentlemen voting in the affirmation were;

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN~~, HELM, ~~IRWIN~~, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, ~~MARSHMAN, McBROOM~~, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER.—36

And none in the negative,

Gentlemen absent and not voting were;

Canfield, Carlile, Griffin, Irwin, Kruse, Lake, Marshman, McBroom, McMurray, Moss, Smith, Surles, Young—13

A constitutional majority having voted in favor of concurring in the amendments,

The amendments were concurred in,

S.B. No. 19. A bill for an Act

to provide for the payment of the claim of William Whist for translating the Constitution of the State into the German language,

Also

H.B. No. 178. A Bill for an Act to repeal an act entitled an act ~~concer~~ concerning fences and enclosures in Conejos County, and in other Counties under certain circumstances, approved February 12, 1874.

Were read a first time.

S.B. No. 121, A Bill for an Act regulating the practice in cases of preliminary examinations before Justices of the Peace while acting as Conservators of the Peace,

Also

S.B. No. 37. A Bill for an Act to establish and maintain a system of Free Schools,

Were read a second time and ordered to be placed on General Orders to be considered in Committee of the whole House, when

Mr Ransom moved that S.B. No. 37. be referred to the Committee on Education,

Which motion prevailed,

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Feby. 5th 1877.

To the Honorable

The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has concurred in House amendments to S.B. No. 67, entitled "A Bill for an Act to facilitate the recovery of ore unlawfully taken by theft or trespass, to regulate the sale and disposition of Ore, and for the better protection of Mine Owners" Has passed H.B. No. 265. "A Bill for an act for the relief of the widow of C Dominguez."

The same is herewith transmitted

Has passed S.B. No. 61, "A Bill for an Act concerning Counties, County Officers and County Government and repealing all laws on other subjects" herewith transmitted, The concurrence of the House is requested

Respectfully
Geo F Clark
Secy of the Senate,

H.B. No 174 "A Bill for an act concerning damages and to repeal an act entitled an act concerning damages, approved February 8. 1877

Was read a second time

Mr Morhouse moved that H.B. No. 174 be referred to the Committee on Finance Ways & Means

Which motion prevailed

Reports of Committees were taken up and disposed of as follows

Report of the Committee on Counties and County lines, relative to H.B. No. 125, H.B. No. 144, and H.B. No. 159, recommending that they be laid on the table,

Mr Rand moved that the report of the Committee be agreed to,

Which motion prevailed,

Report of the Committee on Counties and County Lines, relative to H.B. No. 241, recommending amendment thereto,

Mr Irwin moved that the report of the committee be agreed to,

Mr Ransom moved as an amendment that the bill be recommitted to the Committee on Counties and County Lines,

Which motion to amend did not prevail,

The question recurring upon the motion to agree,

The motion prevailed,

S.M. & J.R. No. 12. asking Congress to establish a Military Road between Forts Lyon and Union

Was read a third time,

The question being upon the passage of the Joint Resolution

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. — 41

and none in the negative

Gentlemen absent and not voting were:

Carlile, Irwin, Lake, Laragoite, McBroom, McMurray, Moss, Young — 8.

A constitutional majority having voted in favor of the passage of the Joint Resolution,

The Joint Resolution passed,

S.B. No. 29. A bill for an act to designate the Holidays to be observed, in the acceptance and payment of bills of exchange and promissory notes, in the holding of courts and relative to the continuance of suits,

Was read a third time

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, LORD, LUTHER, ~~MAYER~~, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY~~, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. — 39

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE,~~ LANGFORD, ~~LARAGOITE, LEONARD, LORD, LUTHER~~, MAYER, ~~MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH,~~ STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~ — 3

Gentlemen absent and not voting were:

Carlile, Yarnaqaite, McBroom, McMurray, Moss, Addison, Young — 7

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

The Joint Committee on Enrollment presented the following report:

MR. SPEAKER:

The Joint Committee on enrollment have examined H.B. No. 236, An act to amend the Charter of Georgetown

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 11 o'clock in the forenoon, the Speaker, in the presence of the House, signed

H.B. No. 236. A bill for an Act to amend the Charter of Georgetown,

The Committee on Enrollment presented the following report:

MR. SPEAKER:

Your Committee on Enrollment have examined HB No. 771 A bill for an act to provide for the issuing of warrants by the Auditor in payment of [illegible]nt and contingent expenses of the [illegible] Legislative and Judicial Departments and to repeal all acts inconsistent with this act

and find the same correctly enrolled.

A. A. Smith, Chairman.

The Committee on Engrossment presented the following reports:

MR. SPEAKER:

Your Committee on Engrossment have examined HB No. 204 A Bill for an act to provide for paying the expenses of locating the public lands

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 250 A Bill for an Act to encourage the destruction of grasshoppers and to raise a special fund therefor in the State of Colorado

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 3 A Bill for an act to provide for the protection and propagation of fish and to repeal certain other laws relating thereto

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 1 A Bill for an Act relating to the Supreme Court Library

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR SPEAKER:

Your Committee on Engrossment have examined H.B. No. 222 A Bill for an Act relating to the assessment of the value of the improvements in actions brought to recover real property or the possession thereof

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR SPEAKER:

Your Committee on Engrossment have examined H.B. No. 21 A Bill for an Act to submit to the qualified electors of the State of Colorado an amendment to Sec. 29 Art. 6 of the Constitution of the State of Colorado, concerning the Judicial Department

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR SPEAKER:

Your Committee on Engrossment have examined H.B. No. 94 A Bill for an act relating to the exemption of volunteer firemen as jurors and from paying a poll tax in the State of Colorado and to repeal certain acts relating thereto

and find the same correctly engrossed.

N. C. Alford, Chairman.

By unanimous consent the Committee on Printing presented the following report:

Mr Speaker;— The Committee on Printing report amendments to H.B. No. 87 corrected as follows;

Page 5, line 125, for "60" insert "80" —
" " " 129 for "96" read "94"
" 11 " 291 Strike out the words "Strike out".
" 11 " 316 for "unsue" read "mesne"
" 13 " 379 insert the word "After" before "Thanksgiving";

Also amendments to House Bill No. 102 correctly printed

J. Durbin,
Chairman

S.B. No. 54, a bill for an act to provide for the Public Printing and Publishing and Distribution of the Laws,

Was read a third time,

The question being upon the passage of the bill,
The "yeas" and "nays" were had.
Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ~~ALFORD~~, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, ~~GREEN~~, GRIFFIN, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, ~~McDERMITT~~, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, VIHL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER.—38

And Mr Irwin, — 1
In the negative
Gentlemen absent and

not voting were;

Alford, Carlile, Green, McBroom, McDermitt, McMurray, Morehouse, Moss, Smith, Young — 10

A constitutional majority having voted in favor of the passage of the bill,
The bill passed.
And the title was agreed to.

S.B. No. 62 a bill for an Act to provide a Seal for the Supreme Court of Colorado
Was read a third time.

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, ~~McDERMITT~~, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS~~, PATTEN, PHELPS, ~~PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, ~~SURLES~~, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER — 39

Gentlemen voting in the negative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.

Gentlemen absent and not voting were;

Carlile, McDermitt, McBroom, McMurray, Morehouse, Moss, Smith, Surles, A.D. Wilson, Young — 10

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

S.B. No. 119. a bill for an Act to provide for the payment

of the bill introduced by H. R. Myers and C. Dominguez for translating the Constitution of Colorado into the Spanish language, was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON~~, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES, SURLES~~, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. — 34

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, ~~CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN~~, PHELPS, ~~PIERCE, RAINEY~~, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES~~, VIJIL, ~~WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. — 7

Gentlemen absent and not voting were:

Carlile, Irwin, McBroom, McMurray, Morehouse, Moss, Surles, Young. — 8

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

S. B. No. 175. A Bill for an act to regulate the conditions of appeal bonds and supersedeas bonds when the judgment complained of is for the recovery of lands or the possession thereof,

Was read a third time, when Mr Helm moved that its further consideration be postponed

ment Thursday February 8. 1894.

Which motion prevailed.

And amendments heretofore made to the bill were ordered printed.

S.B. No. 177. A bill for an act to repeal Sec. 223 of Chap 22 of the revised statutes and to enact other provisions in lieu thereof,

Was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, ~~MARSHIMAN, McBROOM~~, ~~McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES~~, SURLES, VIJIL, ~~WATTS~~, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. —— 36

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE,~~ LANGFORD, ~~LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHIMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER~~, SIMMONS, ~~SMITH~~, STOKES, ~~SURLES, VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. —— 5

Gentlemen absent and not voting were:

Carlile, Marshiman, McBroom, McDermitt, McMurray, Moss, A. D. Wilson, Young —— 8

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

S.B. No. 140 A Bill for an act to amend chapter 61, of the revised statutes of Colorado

Was taken up for a third

reading, which

the Kittredge moved

that it be referred to the Committee

having charge H.B. No. 83.

Which motion prevailed,

H.B. No. 4. a bill for an

Act to provide for the protection and preservation of fish, and to repeal an Act entitled "An Act to provide for the protection of fish in Colorado Territory," approved February 11, 1870; and an Act entitled "An Act to amend an Act entitled 'An Act to provide for the protection of fish in Colorado Territory, approved February 11, 1870,' approved February 9, 1872," and an Act entitled "An Act to encourage the propagation of fish in Colorado Territory," approved February 13, 1874.

Was read a third time,

Mr Pierce moved to amend

Sec. 4. by adding thereto the following words, "and the offering for sale during the months above mentioned shall be prima facia evidence of the violation of the provisions of this section",

Which motion to amend

prevailed,

Mr Phelps moved that

the further consideration of H.B. No. 45 be postponed until Friday next, July, 9, 1877

Which motion was lost

Mr Langford moved that

Sections 10 and 11 be stricken from the bill,

Which motion did not prevail,

Mr Stokes moved to amend

Sec. 4 by striking ~~out~~ out the word "November

which motion did not prevail,

Mr Phelps moved to amend Sec. 1 so as to make it read as follows:

"Section 1. That it shall be unlawful for any person to kill or take trout or other fish in any waters of this State, by the use of any poison, deleterious or stupefying substance or drug, or by the use of any explosive substance. And it shall be unlawful for any person to catch any speckled trout, by the use of any net, seine, trap, basket or box, or device whatsoever, except by a hook and line, or to obstruct or encumber any of the streams of the State with a fish weir or dam, for the capture of any fish whatsoever, except for purposes of propagation."

Which motion did not prevail,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD, CHACON, CHAVES, CARLILE~~, ~~ESQUIBEL~~, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, ~~RAINEY~~, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. —— 33

Gentlemen voting in the negative were:

~~ADAMS~~, ALBERTS, ~~ALFORD, ARCHULETA~~, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS, PIERCE~~, RAINEY, ~~RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES~~, VIJIL, ~~WATTS, WILKINS, WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. —— 10

Gentlemen absent and not voting were:

Adams, Carlile, McMurray, Moss, A D Wilson, Young. —— 6,

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

And the House ordered that it take effect immediately upon its final passage as provided in the emergency clause therein contained.

Mr Phelps, by consent moved that H.B. No. 87 be taken from General Orders and ordered engrossed for a third reading.

Mr Atkin moved as an amendment that the bill be considered engrossed, and that its third reading be made a Special Order for seven

o'clock this evening,

Mr Phelps moved as an amendment to the amendment that the bill be referred to the Committee on Engrossment, with instructions to report, without delay, upon the necessity of its being engrossed,

Which motion was lost,

The question recurring upon the amendment,

Mr Kittredge moved as an amendment to the amendment that ~~the~~ third reading of H.B. No. 89, be made a special Order for two o'clock this afternoon,

Which motion prevailed,

The question recurring upon the amendment as amended,

The motion to amend prevailed,

The question recurring upon the original motion,

The motion prevailed,

And the third reading of H.B. No. 89, was made a Special Order for two o'clock this afternoon,

Messrs Phelps and McBroom were granted leave of absence until Wednesday next, Feby. 7, 1877. at 9:15 A.M.

Mr Ranson moved that

the House do now take a recess until two o'clock this afternoon,

Which motion prevailed

And at 12;30 P.M. the House took a recess.

At two o'clock in the afternoon the Speaker called the House to order,

The Joint Committee on Enrollment presented the following report:

MR. SPEAKER;

The Joint Committee on enrollment have examined H.B. No. 771, An Act to provide for issuing warrants by the Auditor in payment of rent and contingent expenses of the Executive, Legislative and Judicial Departments, and to repeal all acts inconsistent with this act

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 2;05 P.M the Speaker in the presence of the House signed H.B. No. 771, a bill for an act to provide for issuing warrants by the Auditor in payment of rent and contingent expenses of the Executive

Legislative and Judicial Departments, and to repeal all acts inconsistant with this Act.

By unanimous consent
The Committee on Stock presented the following report,

MR. SPEAKER:

Your Committee on Stock

to whom was referred H.B. No. 290 An Act to amend an act providing for the payment of Stock killed by Rail Roads and Railway Companies, approved Feby. 9th 187[illegible]

have had the same under consideration, and report ~~it back with the recommendation that it be~~ the same back in amended form and recommend that it do pass,

A. D. Wilson *Chairman.*

Mr Simmons was excused from attendance upon this afternoon session of the House,

Mr Stulen moved that the vote by which the third reading of H.B. No. 87 was made a Special Order for two o'clock this afternoon be reconsidered,

Which motion prevailed,

And thereupon

Mr Stulen withdrew the motion to make the bill a Special Order,

Mr Stulen moved that

the rules be suspended in order that H.B. No. 87. may be taken up in Committee of the whole House,

Which motion prevailed;

Mr Helm moved that the House do now go into Committee of the whole for the consideration of HB No. 87, and that Rule 43 as relates to the reading of the bill by Section be suspended while H.B. No. 87. is being considered,

Which motion prevailed,

And the House resolved itself into committee of the whole

With Mr Smith in the Chair.

After some time spent therein the Committee arose and through its Chairman presented the following report;

Mr. Speaker!— The Committee of the whole House have had under consideration "H.B. No. 87 A Bill for an Act providing a system of procedure in civil actions in the Courts of justice of the State of Colorado" and instruct me to report the same back and ask for instructions as to how the bill shall be considered,

A. A. Smith
Chairman

Mr Helm moved that the report of the Committee be agreed to, and that Committee be instructed to resume consideration of the bill, Section by Section,

Which motion prevailed.

Mr Allen resumed the chair,

After some time spent therein the Committee arose and through its Chairman presented the following: report:

Mr Speaker:— The Committee of the whole House have had under consideration H.B. No. 87, A bill for an act providing a system of procedure in civil actions in the courts of Justice in the State of Colorado.

And instruct me to report progress and ask leave to sit again at seven o'clock this evening.

A. A. Smith,
Chairman.

Mr Rand moved that the report of the Committee be amended by asking leave to sit again immediately after reading the journal tomorrow morning,

which motion was lost,

Mr Helm moved that the report of the Committee of the whole be agreed to,

which motion prevailed,

The following message was received from the Senate,

State of Colorado
Senate Chamber
Denver Feby 5, 1877

To the Honorable

To the House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has amended and passed H.B. No. 192, to provide for the disposition of unclaimed lots and parcels of land. The concurrence of the House in Senate amendments is requested. Also

Has concurred in House amendments to S.B. No. 119. an act ~~to provide~~ providing for payment of ~~the~~ balance due A.R. Dyer and C. Dominguez. and Refuses to concur in House amendments to S.B. No. 62. to provide a Seal for the Supreme Court.

The concurrence of the House in Senate amendments to H.B. No. 192 is requested.

H.B. No. 192. and S.B. No. 62 are herewith transmitted.

Respectfully
Geo. T. Clark
Secy of the Senate.

Mr Rand upon the motion of Mr Rainey was excused from attendance upon this evening's session of the House.

Upon motion of Mr. Wilkins, Mr Stillwell was also granted leave of absence until 9:15 a.m. tomorrow.

Mr Watts moved that Mr McDermitt be excused for the evening,

Which motion prevailed.

Mr Ransom moved that the House do now take a recess until seven o'clock this evening.

Which motion prevailed.

And at 5:18 PM, the House took a recess.

At 7 PM the Speaker called the House to order.

The Committee on Enrollment presented the following report:

MR. SPEAKER:

Your Committee on Enrollment have examined H.B. No. 265 A Bill for an act for the relief of the widow of C Domingues

and find the same correctly enrolled.

A. A. Smith, Chairman.

Mr Brown moved that H.B. No. 241, be now read a second time.

which motion prevailed, and

H.B. No. 241 A bill for an act to create and establish the county of Humboldt,

Was read a ~~second~~ second time,

Mr Irwin moved that H.B. No. 241, be ordered printed as amended,

Which motion prevailed,

The further consideration of H.B. No. 89, having been made a Special Order for this evening,

The House resolved itself into committee of the whole,

and Mr Smith resumed the chair,

After some time spent therein the committee arose and through its Chairman presented the following report,

Mr, Speaker,— The Committee of the whole House have had under consideration

H.B. No. 89 a bill for an act providing a system of procedure in civil actions in the courts of Justice of the State of Colorado,

Have made some ~~amended~~ amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to, and the bill be

ordered to a third reading,

H. A. Smith
Chairman,

Mr Ransom moved that the report of the Committee of the whole be agreed to,

Mr Wilson moved that H.R. No. 89, be considered Engrossed, and that its third reading be made a Special Order for tomorrow afternoon immediately after the disposition of the Special Order set for two o'clock,

Mr Watts moved ~~that~~ as an amendment that it be made a Special Order for seven o'clock tomorrow evening,

Which motion was lost,

The question recurring upon the motion to consider Engrossed and make a special Order after the disposition of the order previously made for 2. P.M. tomorrow,

The motion prevailed.

At 9:25 P.M. Mr Seiber moved that the House do now adjourn,

Which motion prevailed,

And the House adjourned to 9:15 A.M. tomorrow, February 6, 1877.

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Seventy-Second Day

Thirty Second Day

Tuesday, February 6, 1877.

House met at 9:15 A.M.
Speaker in the chair.
Prayer by the chaplain.
The roll was called,
And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, ~~VIGIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 43

Being a quorum of the House.

Absent Moss Carlile, Irwin, McBroom, McMurray, Moss, Vigil — 6.

Journal of the previous day session was read and approved.

The Committee on Engrossment presented the following report:

MR. SPEAKER:

Your Committee on Engrossment have examined H B No. 10 a Bill for

AN ACT TO ESTABLISH THE OFFICE OF COMMISSIONER OF MINES, AND TO REPEAL AN ACT, ENTITLED, "AN ACT TO ESTABLISH A TERRITORIAL ASSAY OFFICE," APPROVED JANUARY 10, 1868; ALSO, "AN ACT TO ESTABLISH ASSAY OFFICES IN COLORADO TERRITORY," APPROVED FEBRUARY 8, 1872; ALSO, "AN ACT TO ESTABLISH ASSAY OFFICES IN COLORADO TERRITORY," APPROVED FEBRUARY 10, 1874; ALSO, "AN ACT TO AMEND AN ACT ENTITLED AN ACT TO ESTABLISH ASSAY OFFICES IN COLORADO TERRITORY," APPROVED FEBRUARY 11, 1876.

find the same correctly engrossed.

N. C. Alford, Chairman.

In further consideration of

H.R. No. 102. a bill for

AN ACT TO ESTABLISH THE OFFICE OF COMMISSIONER OF MINES, AND TO REPEAL AN ACT, ENTITLED, "AN ACT TO ESTABLISH A TERRITORIAL ASSAY OFFICE," APPROVED JANUARY 10, 1868; ALSO, "AN ACT TO ESTABLISH ASSAY OFFICES IN COLORADO TERRITORY," APPROVED FEBRUARY 8, 1872; ALSO, "AN ACT TO ESTABLISH ASSAY OFFICES IN COLORADO TERRITORY," APPROVED FEBRUARY 10, 1874; ALSO, "AN ACT TO AMEND AN ACT ENTITLED AN ACT TO ESTABLISH ASSAY OFFICES IN COLORADO TERRITORY," APPROVED FEBRUARY 11, 1876.

Having been made a Special Order for this morning immediately after the reading of the Journal,

It was taken up.

Mr Adams moved to amend the bill by striking out Sections 1 to 14 inclusive, and Sections 16 and 17, and that the title be amended to agree with Sec. 15 of the bill,

And upon the motion to strike out,

Mr Watts demanded the "Yeas" and "Nays"

Which were had with the following result,

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF~~, GREEN, ~~GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS~~, WILKINS, WILSON, A. D., ~~WILSON, GEO. W.~~, YOUNG, ~~MR. SPEAKER~~. —— 12

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, ~~GREEN~~, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, ~~McBROOM, McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY~~, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. —— 31

Gentlemen absent and not voting were:

Alberts, Carlile, McBroom, McMurray, Moss, Rainey —— 6

And so the motion to strike out did not prevail

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, ~~GREEN, GRIFFIN~~, HELM, IRWIN, ~~KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, ~~McBROOM, McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY~~, RAND, RANSOM, ~~SCHINNER~~, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. —— 27

Gentlemen voting in the negative were:

ADAMS, ALBERTS, ~~ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM~~, SCHINNER, ~~SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS~~, WILKINS, WILSON, A. D., ~~WILSON, GEO. W.~~, YOUNG, ~~MR. SPEAKER~~. —— 17

Gentlemen absent and not voting were:

Carlile, McBroom, McMurray, Moss, Rainey —— 5

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

but the bill not having received a two thirds majority, the House did not order that the emergency clause take effect,

Mr Rainey was excused from attendance upon the remainder of todays session of the House,

Mr Phelps moved that the vote by which H.B. No. 102 was passed, be reconsidered,

And that the motion to reconsider be laid on the table,

Which motion to lay on the table prevailed,

The further consideration of H.B. No. 44, having been made a Special Order for this forenoon in Committee of the whole,

The House resolved itself into Committee of the whole,

And Mr Ransom resumed the Chair,

After some time spent therein the Committee arose and through its Chairman presented the following report!

Mr Speaker:- The Committee of the whole House have had under Consideration

H.B. No. 44, A Bill for an Act to provide for assessment and Collection of Revenue, and to repeal

certain acts in relation thereto,

And instructing to report progress and ask leave to sit again,

Daniel Ransom,
Chairman,

Mr Ransom moved that the report of the Committee of the whole be agreed to,

which motion prevailed,

The following message was received from the Senate:

State of Colorado
Senate Chamber
Denver Feby. 6. 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has passed S.M. and J.R. No. 13 "Asking Congress to aid in the destruction of Grasshoppers." Has amended and passed H.B. No. 20 "A Bill for an Act to amend an Act concerning costs in criminal cases".

Has passed S.B. No. 32 "A Bill for an Act to establish a State Board of Agriculture and to define its duties" All of which is herewith transmitted, The concurrence of the House is requested in S.M. and J.R. No. 13. S.B. No. 32 and amendment to H.B. No. 20.

Respectfully
Geo. F. Clark
Secy of the Senate

The Committee of Conference on H.B. No. 8, presented the following report:

To the Speaker of the House of Representatives:

Your Committee of Conference on H.B. No. 8. known as the Salary bill, respectfully report that they have had three meetings of said committee and cannot agree upon a report and ask to be discharged.

Juby. 5th 1877.

Members from House:
J. C. Helm,
Alva Adams
Isaac Canfield

Members from Senate:
L. C. Rockwell
L. C. Ellsworth
James Moynahan

Mr Wilkins moved that the report be recived, and the committee discharged.

Which motion prevailed.

The Joint committee on Enrollment presented the following report;

MR. SPEAKER;

The Joint Committee on enrollment have examined H.B No. 265 "An act for the relief of the widow of O Downing" also, S.B. No. 67 A bill for an act to facilitate the recovery of Ore taken by theft or trespass, to secure the sale and disposal of the same, for the better protection of mine owners and find the same correctly enrolled.

Geo. W. Wilson,
Chairman on the part of the House of the Joint Com. on Enrolls

At 12:00 P.M. The Speaker in the presence of the House, declared

H.B. No. 265, a Bill for an Act for the relief of the widow of C. Dominguez,

Also

S.B. No. 69, a Bill for an act to facilitate the recovery of cattle taken by theft or trespass; to regulate the sale and disposition of the same, and for the better protection of cattle owners,

By consent

The Committee on Counties and County Lines presented the following reports:

MR. SPEAKER:

Your Committee on Counties and County Lines *to whom was referred* H.B. No. 61, a Bill for an act to repeal Sections ~~(illegible)~~ two and six of Chapter 53 of the revised statutes of Colorado relating to licence required to be paid by Peddlers and other persons, and to enact other provisions ~~[illegible]~~ thereof *have had the same under consideration, and report it back with the recommendation that it be* all after the word "Dollars" in the 17 line of Section 1 of said bill be stricken out and the bill be placed upon its first reading

C. H. McIntyre *Chairman.*

MR. SPEAKER:

Your Committee on Counties and County Lines *to whom was referred* H.B. No. 268. A Bill for an act to provide for the payment of a property road tax by the inhabitants of towns and villages in certain cases

have had the same under consideration, and report it back with the recommendation that it be placed on file for first reading

C. H. McIntyre *Chairman.*
J. Gottheil

MR. SPEAKER:

Your Committee on County and County Lines *to whom was referred* H.B. No. 259. A Bill for an act concerning the more definite location of County Lines

have had the same under consideration, and report it back with the recommendation that it be put upon its first reading

C. H. McIntyre *Chairman.*
J. Gottheil

By consent

The Committee on Printing presented the following report;

Mr Speaker;

The Committee on Printing report House Bills No. 71, 176, 178 and amended House Bills No. 207 257 and amendments made by the House to Senate Bill No. 125. correctly printed.

J. Sulis.
Chairman

By consent

The Committee on Finance, Ways and Means, presented the following report;

Mr Speaker;— In compliance with the order of the House, the Committee on Finance, Ways and Means report that from the Auditors books it appears that the expenses of the State Penitentiary for the years 1874—5 and 6 were as follows;

1874	$17.171.03
1875	14.455.06
1876	21.728.50
Total	$53.354.59

Isaac Canfield
Chairman

The report was placed on file to be considered in connection with H.B. No. 205.

Mr Smith moved that the House do now take a recess until 2 o'clock

this afternoon,

Which motion prevailed,

And at 12; 15; P.M. the House took a recess,

The Speaker called the House to order at two o'clock in the afternoon,

The Joint Committee on Enrollment presented the following report,

MR. SPEAKER:

The Joint Committee on Enrollment presented H.B. No. 236, An Act to amend the Charter of Georgetown; Also, H.B. No. 291 An Act to provide for issuing warrants by the Auditor in payment of ext and contingent expenses the Executive Legislative and Judicial Departments and to repeal all acts inconsistant with this act

to his Excellency, the Governor, for his approval, at 12 30 *o'clock,* P.M. February 6th A.D. 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The vote by which H.B. No. 96. was upon a previous day having been reconsidered,

And its further consideration having been made a Special Order for two

o'clock this afternoon,

Its consideration was resumed,

The question being upon the passage of

H.B. No. 36. An Act to establish and provide means for the support of a department to regulate insurance companies doing business in the State of Colorado,

Messrs Phelps and Morehouse moved a call of the House,

Which was had,

And Messrs Irwin, Moss, Pierce and Seiber,

Were reported absent without leave,

And the Sergeant-at-Arms was directed to bring in the absentees,

The Sergeant-at-Arms appeared at the bar of the House with the body of Mr Pierce in charge,

Mr Pierce not ~~having~~ being able to render a sufficient excuse for being absent,

Mr Simmons moved that he be released upon the payment of a box of cigars,

Mr Adams moved as an amendment that he be released upon the payment of a ~~barrel~~ barrel of apples,

Which motion to amend prevailed

The question recurring upon the motion as amended,

The motion prevailed,

And the Sergeant-at-Arms was directed to release Mr Pierce upon compliance with the orders of the House.

The Sergeant-at-Arms appeared at the bar of the House with the body of Mr Seibur in charge.

Mr Seibur being unable to render a sufficient excuse for being absent,

Mr Alford moved that he be excused,

Mr Phelps moved as an amendment that Mr Seibur be released upon providing the House with a box of cigars,

Which motion to amend prevailed,

The question recurring upon the motion as amended,

The motion prevailed,

and the Sergeant-at-Arms was directed to release Mr Seibur upon compliance with the orders of the House.

Mr Rand moved that further proceedings under the call of the House be dispensed with,

Which motion was lost,

Mr Phelps moved that further proceedings under the call of the House

be dispensed with,

Which motion did not prevail,

Mr Smith moved that further proceedings under the call of the House be dispensed with,

And upon this motion,

Mr Phelps demanded the "Yeas" and "Nays"

Which were had with the following result,

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE~~, ~~ESQUIBEL~~, GOTTHELF, GREEN, GRIFFIN, HELM, ~~IRWIN, KITTREDGE, KRUSE~~, LAKE, ~~LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER~~, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS~~, PATTEN, PHELPS, ~~PIERCE~~, RAINEY, ~~RAND~~, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES, SURLES~~, VIJIL, ~~WATTS, WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 25

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, ~~MAYER~~, MARSHMAN, ~~McBROOM~~, ~~McDERMITT, McINTIRE, McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN, PHELPS~~, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 20

Gentlemen absent and not voting were;

Carlile, Irwin, McMurray, Moss — 4

And so the motion to dispense with further proceedings under the call of the House did not prevail,

Mr Smith moved that the House do now adjourn,

And before the vote was taken, asked leave to withdraw the motion, ~~to adjourn~~

Objections being made
Mr Phelps moved that
Mr Durlin be granted leave to withdraw
the motion to adjourn,
Which motion prevailed,
The Sergeant-at-Arms
appeared at the bar of the House with
the body of Mr Irwin in Charge,
Mr Irwin gave an
explanation of his absence,
Whereupon
Mr McBroom moved that
he be excused,
Mr Rand moved as an
amendment that Mr Irwin be released
upon providing the House with a box
of candy for the use of the Pages
Mr Stulen moved as an
amendment to the amendment that
Mr Irwin be released upon providing
the House with a half bushel of
peanuts,
Which motion to amend prevailed,
The question recurring upon
amendment as amended
The amendment prevailed,
The question then recurring
upon the motion as amended
The motion prevailed,
And the Sergeant-at-Arms
was directed to release Mr Irwin
upon compliance with the order of the House

Mr Rand moved that further proceedings under the call of the House be dispensed with,

Which motion prevailed.

The question recurring upon the passage of H.B. No. 36,

Mr Adams moved that its further consideration be postponed until tomorrow morning, immediately after the reading of the Journal,

Which motion was lost,

The question again recurring upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE~~, ~~ESQUIBEL~~, GOTTHELF, ~~GREEN~~, GRIFFIN, HELM, ~~IRWIN~~, KITTREDGE, ~~KRUSE~~, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, ~~PIERCE~~, RAINEY, ~~RAND, RANSOM~~, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. —— 28,

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF~~, GREEN, ~~GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, ~~MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS~~, PIERCE, ~~RAINEY~~, RAND, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS~~, WILKINS, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~. —— 18.

Gentlemen absent and not voting were:

Carlile, McMurray, Moss —— 3,

Pending the call,

Mr Rand moved that Mr Pierce be excused from voting,

Which motion was lost.

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

H.B. No. 58. A Bill for an act to repeal Sec. 16. of Chapter 53. of the revised Statutes of Colorado,

Having been lost upon its third reading,

And a motion having been made to reconsider the vote by which it failed to pass,

And the consideration of the motion to reconsider having been made a Special Order for this day,

Mr Helm moved that it be now taken up,

Which motion prevailed,

The question recurring upon the motion to reconsider,

The motion prevailed,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, ~~IRWIN, KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, McBROOM, ~~McDERMITT, McINTIRE, McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY, RAND, RANSOM~~, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 29.

Gentlemen voting in the negative were:

ADAMS, ALBERTS, ~~ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 16

Gentlemen absent and not voting were:

Carlile, McIntyre, McMurray, Moss — 4

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

Mr. Reed moved that Mr Lake be granted leave of absence until 10. A.M. tomorrow;

Which motion prevailed,

H.B. No. 87. A Bill for an Act providing a system of procedure in civil actions in the Courts of justice of the State of Colorado.

~~was read~~

Was read a third time,

Mr Helm moved that the vote upon the passage of H.B. No. 87. be made a Special Order for to-morrow morning at ten o'clock

Which motion prevailed.

The Joint Committee on Enrollment presented the following report:

MR. SPEAKER:

The Joint Committee on Enrollment presented S.B. No. 67. a bill for an Act to facilitate the recovery of property taken by theft or trespass; To regulate the disposition of the same and for the better protection of the owner" also H.B. No. 45 An Act for the relief of the widow of Domingues

to his Excellency, the Governor, for his approval, at 3 40 o'clock, P. m., February 6th A.D. 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 5:32 P.M.

Mr Marsheman moved that the House do now adjourn.

Which motion prevailed.

And the House adjourned to 9:15 A.M. tomorrow, February 7. 1877

House Journal

of the

Funeral Proceedings

of the

State of Colorado

First Session

Twenty-Third Day

Thirty Third Day

Wednesday February 7. 1877

House met at 9.15. a.m.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 44.

Being a quorum of the House.

Absent Messrs Carlile, Lake, McMurray, Moss, Phelps, — 5

Mr McIntyre moved that Mr Phelps be granted leave of absence for the forenoon,

Which motion prevailed.

Mr Adams was excused temporarily.

Mr Rand moved that Mr Pierce be excused from attendance upon this forenoon session of the House,

Which motion prevailed,

Journal of the previous days session was read and approved.

The following communication was received from ~~the~~ His Excellency, the Governor;

State of Colorado
Executive Dept.
Denver Feby. 6. 1877.

Hon W. D. Anthony
Speaker of House of Representatives
Sir:

I have the honor to inform you, that I have this day signed House Bill No. 221 entitled "An act to provide for issuing warrants by the Auditor in payment of rent" &c and No 236 "An act to amend the Charter of Georgetown" and have filed the same with the Secretary of State

Very respectfully
John L. Routt,
Governor

Senate message relative to House amendments to S.B. No. 67 was taken up,

The Senate having refused to concur,

Mr Randwood that the House recede.

Which motion was lost;

Mr Kittridge moved that the House insist on its amendments,

And upon this motion Mr Phelps demanded the "Yeas" and "Nays"

Which were had with the following result:

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ~~ALFORD, ARCHULETA~~, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, ~~LAKE, LANGFORD, LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, ~~MARSHMAN, McBROOM~~, ~~McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, ~~RAND~~, RANSOM, ~~SCHINNER~~, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, VIJIL, WATTS, ~~WILKINS, WILSON~~, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. — 26

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, ~~GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD, LUTHER, MAYER~~, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS~~, PATTEN, PHELPS, ~~PIERCE, RAINEY~~, RAND, ~~RANSOM~~, SCHINNER, ~~SEIBER, SIMMONS~~, SMITH, ~~STOKES, SURLES, VIJIL, WATTS~~, WILKINS, ~~WILSON, A. D., WILSON, GEO. W.~~, YOUNG, ~~MR. SPEAKER~~. — 15

Gentlemen absent and not voting were;

Adams, Carlile, Lake, Laragoite, McMurray, Moss, Pierce, A.D. Wilson — 8

And so the motion to insist prevailed,

Senate amendments to H.B. No. 20, were taken up,

Mr Irwin moved that the House concur in the Senate amendments to H.B. No. 20,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, ~~MAYER~~, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, ~~PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, ~~SURLES~~, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. 43

And Mr Surles, — 1

In the negative,

Gentlemen absent and not voting were;

Adams, Carlile, Lake, Mayer, McMurray,

Mr. Pierce & Mr. Wilson

A constitutional majority having voted in favor of concurring in the amendments,

The amendments were concurred in,

Mr Stokes introduced the following resolution,

Whereas, The impoverished condition of the people, the result of repeated distruction of crops and the universal stringency of the money markets make it imperative that this House should use all possible economy in the expenditure of the peoples money,

And Whereas, There is at this time in the employ of this House and drawing pay from the people, a ~~supe~~ superfluity of officers and assistants, who can without injury to the public service, be dispensed with,

Therefore, Be it resolved, That the offices of Assistant Sergeant-at-arms, Assistant Janitor, and one Page are hereby abolished,

Mr Stokes moved that the resolution be adopted,

Mr Simmons moved that the motion to adopt be laid on the table,

And upon the motion to lay on the table,

Mr Stokes demanded the "Yeas" and "Nays" which were had with the following result,

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ~~ARCHULETA~~, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF~~, GREEN, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, KRUSE, ~~LAKE, LANGFORD~~, LARAGOITE, ~~LEONARD, LORD, LUTHER~~, MAYER, MARSHMAN, ~~McBROOM, McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, ~~PIERCE~~, RAINEY, ~~RAND, RANSOM~~, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~. — 25

Gentlemen voting in the negative were:

~~ADAMS~~, ALBERTS, ~~ALFORD~~, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, ~~GREEN~~, GRIFFIN, ~~HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, ~~MAYER, MARSHMAN~~, McBROOM, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, RANSOM, ~~SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. — 17

Gentlemen absent and not voting were:

Adams, Carlile, Lake, McMurray, Moss, Pierce, A.D. Wilson — 7

And so the motion to lay on the table prevailed.

Mr Morehouse moved that the Senate be requested to return to the House, for further action, S.B. No. 54.

Which motion prevailed.

The Committee on Finance, Ways and Means presented the following report:

Mr Speaker:—

Your Committee on Finance, Ways and Means to whom was referred H.C.R. No. 18. in relation

to adjournment on Feby. 17; have had the same under consideration and present a majority report as follows: Your Committee appreciate the hardship which will be inflicted upon the people of this State by the additional taxation which has and will necessarily be incurred by the adoption of our Constitution and the organization of our State Government, and by the necessity of paying the debt bequeathed to us by the Territory, on account of the last Legislature not levying a sufficient tax, And we know of, and most of us feel, the results of the pecuniary depression felt not only here, but throughout the whole Country, Yet it is the opinion that the State will suffer less by a slight addition to their taxes, than by hasty or careless legislation or by leaving many important bills unconsidered, and whereas it is impossible to give the bills now before us even a passing consideration, before the time specified in the resolution, Therefore it is the opinion of your committee that it would not only be inexpedient, but doing our constituents a great injustice to adjourn at so early a day as the 17 inst.

We would therefore report

the resolution back to the House with the recommendation that it be laid upon the table,

James Canfield, Chairman
W. H. Pierce
A. Leonard
Anto Mc Vijil

Mr Rand moved that the consideration of the report of the committee on Finance Ways and Means, relation to H.C.R. No. 18, be made a Special Order for two o'clock this afternoon,

Which motion was lost,

Mr Rand moved that the report of the committee be not agreed to,

Which motion was lost,

Mr McIntyre moved that the report of the committee be agreed to,

Which motion prevailed,

Mr Marshman moved that Mr Lake be granted leave of absence until Wednesday Feby 14, 1877, at ten o'clock in the forenoon,

Which motion prevailed,

H.B. No. 87. A Bill for an Act providing a system of procedure

in civil actions in the Courts of Justice of the State of Colorado,

Having been made a Special Order for 10. A.M. today, and ~~that~~ the hour for which the Special Order was set having arrived, and

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS,~~ ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, ~~LANGFORD~~, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, ~~PIERCE~~, ~~RAINEY~~, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~. — 36.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE,~~ LANGFORD, ~~LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM,~~ McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, ~~RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES,~~ VIJIL, ~~WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR.~~ SPEAKER. — 7.

Gentlemen absent and not voting were:

Adams, Carlile, Lake, McMurray, Moss, A. D. Wilson — 6

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

Mr Phelps, in explanation of his vote, said:

In explanation of my vote, I desire to say that I don't think the bill has received proper consideration at the hands of this House, that its passage with ~~so little~~ so little consideration will result, in my judgment, in leaving it uncertain what existing laws are repealed by it, and what are still in force, and that, for many years, the courts will be perplexed with the question, the real needed reforms in our present practice, in my judgment, could be obtained by a slight amendment to the injunction bill, now pending, or to the bill in relation to practice in courts of Chancery, together with the passage of one or two other small bills, now pending, at a comparatively trifling expense and with better results. Very many amendments were made to the bill by the Committee, upon the slight examination given to it, by two or three members of that committee, that examination occupied one day or two. It seems to me that a more careful examination of the bill, at the hands of the proper commission, would reveal very many other changes which ought to be made. I fear also there are doubts as to the constitutionality of the bill, and some doubt as to whether it has been proceeded with, constitutionally, in this House. I therefore vote <u>no</u>.

Mr Kittredge moved that the order of business be dispensed with, and that the House go into Committee of the whole for the further consideration of H.B. No. 44.

Which motion prevailed.

And the House resolved itself into Committee of the whole;

And Mr Ransom resumed the chair.

After some time spent therein the Committee arose and through its Chairman presented the following report;

Mr Speaker;— The Committee of the whole House have had under ~~consideration~~ further consideration,

H.B. No. 44. A Bill for an Act to provide for the assessment and collection of Revenue, and to repeal certain acts in relation thereto,

And instruct me to report progress and ask leave to sit again.

Daniel Ransom
Chairman.

Mr ~~Rand~~ Ransom moved that the report of the Committee of the whole be agreed to.

Which motion prevailed,

The following message was received from the Senate,

State of Colorado
Senate Chamber
Denver Feby. 7. 1877

To the Honorable
The House of Representatives
of the State of Colorado.

I am instructed to inform your Honorable body that the Senate has concurred in House amendments to S.B. No. 6 v, "providing a Seal for the Supreme Court of Colorado". Also that the Senate, at the request of the House, herewith returns S.B. No. 54 "A Bill for an Act to provide for the public Printing and Distribution of the laws". Also That the Senate has appointed as members of new Committee of Conference on H.B. No. 8, known as the Salary Bill, on the part of the Senate, Messrs Hamill, Bennet and Haynes.

The appointment of a like Committee on the part of the House is requested

Respectfully
Geo. F. Clark
Secy of the Senate.

Mr. A. L. Wilson called up the report of the Committee on Stocks, relative to H.B. No. 270, recommending the substitution of an amended bill;

And moved that the report of the Committee be adopted;

Which motion prevailed.

The Committee on Enrollment presented the following report:

MR. SPEAKER:

You Committee on Enrollment have examined H.B. No. 20, An Act to repeal an Act concerning costs in criminal cases, approved February 7th 1876

and find the same correctly enrolled.

A. A. Smith, Chairman.

The Speaker appointed as members of the new Committee of Conference on H.B. No. 8,

Messrs McIntyre, Morehouse, and Wilkins,

Mr Phelps was excused from attendance upon this afternoons session of the

House,

Mr Smith moved that the House do now take a recess until two o'clock this afternoon,

Which motion prevailed,

And at 12:10 P.M. the House took a recess

The Speaker called the House to order at two o'clock in the afternoon,

The Joint Committee on Enrollment presented the following report;

MR. SPEAKER;

The Joint Committee on enrollment have examined H.B. No. 20 An Act to repeal an Act entitled an act concerning costs in criminal cases approved February 7. 1876.

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 2:02 P.M. the Speaker, in the presence of the House, signed

H.R. No. 20. A Bill for an act to amend an Act ~~entitled an act~~ concerning costs in Criminal Cases approved Feby. 7. 1876.

Mr Marshman moved that the rules be suspended to admit a motion to reconsider the vote by which the report of the Committee on Finance, Ways & Means relative to H.C.R. No. 18. was agreed to this ~~afternoon~~ forenoon,

Which motion was lost,

By consent,

Mr Adams presented the following minority report; and it was ordered spread upon the Journal,

Mr Speaker:

Regarding the majority report of the Finance, Ways & Means Committee upon H.C.R. No. 18, to be inimical to the interests of the people, I as a member of said committee desire to enter my protest against such action — Appreciating the present hard times and the comparative unproductiveness of our various industries, the great necessary increase of taxation which incites the people to ~~cause~~ raise their voices for the utmost economy in the administration of state affairs and to protest against the present extended and expensive session of the General Assembly — Sympathizing with the tax payers in these sentiments, I regard

it the imperative duty of the members of this legislature to adopt such measures as will best conserve the interests of the state by being conducive to an early adjournment. The most important adjunct towards the consummation of this result will be the adoption of a day for the termination of our labors beyond which our session cannot extend — such a date — as an objection point by which we could regulate our actions and shape our legislation would greatly expedite the business of this legislature conform to the demands of economy and disabuse the minds of the people of the idea that our session is to be interminable — It is true many bills must be sacrificed, for if our past record is an index of our future performance a thorough consideration of the bills introduced would confer upon the first State legislature of Colo. the doubtfull honor of compeling with the "Long Parliment"

One hundred days have we been engaged and drawing pay from the coffers of the State and yet the record of our labors is the passage of a few petty and unimportant bills scarcely a law of any importance to our state or that is conducive to the general welfare of our people adorns our Statute books as monuments of our

a chairman.

This being the status of our proceedings the earliest possible adjournment will best advance the welfare of the State and promote the interests of the people by cutting off the expenditure of nearly one thousand dollars per day of the revenues of our State and I would recommend that this body consider only such bills as are of great and present importance leaving those for which there is not an urgent and an immediate necessity for the consideration of future legislatures.

Alva Adams
of Finance W & M Committee

Mr Kruse was excused from attendance upon the sessions of this House until 10:30 A.M. tomorrow.

Mr Gotthelf moved that Mr Alberts be granted leave of absence for 10 days,

Which motion prevailed,

Mr Kittredge moved that the order of business be ~~suspended~~ dispensed with for the present, and that the House go into committee of the whole for the further consideration of H.B. No. 44,

Which motion prevailed,

and the House resolved itself in committee of the whole,

And Mr Ransom resumed the

chair,

After some time spent therein the Committee arose and through its Chairman presented the following report,

"Mr Speaker! The Committee of the whole House have had under ~~for~~ further consideration

H.B. No. 44. A Bill for an act to provide for the assessment and collection of Revenue and to repeal certain acts in relation thereto,

Have gone through therewith and made some amendment thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to

Daniel Ransom
Chairman,

Mr Alford moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,

and the amendments proposed by the committee of the whole were ordered printed,

S.B. No. 32. A Bill for an act to establish a State Board of Agriculture and to define their duties

Also

H.R. No. 13. Asking Congress to provide a fund for the payment of bounties for the destruction of Grasshoppers,

Were read a first time,

The Committee on Printing

By unanimous consent,

Presented the following

report,

Mr Speaker:- The Committee on Printing report H.B. No. 241 correctly printed,

J. Sirlis,

Chairman

Mr Irwin moved that the rules be suspended and that the House do now go into committee of the whole for the consideration of H.B. No. 241.

Which motion was lost.

H.B. No. 259. A Bill for an act ~~tooc~~ concerning the more definite location of County Lines,

Also

H.B. No. 268. A Bill for an act to provide for the payment of a property ~~xxx~~ road tax by the inhabitants of towns and Villages in certain cases,

Also

S.B. No. 61. A Bill for an act concerning Counties, County Officers

and County government, and repealing all laws on these subjects,

Were read a first time,

S.B. No. 19. A Bill for an act to provide for the payment of the claim of Wm Whist for translating the Constitution of the State into the German language,

Also

H.B. No. 71 a Bill for an act making an appropriation for Insane Paupers

Also

H.B. No. 178. a bill for an act to repeal an act entitled an act concerning fences and enclosures in Conejos County and in other Counties under certain circumstances, Approved July 12. 1874,

Were read a second time

And placed on General Orders to be considered in Committee of the whole House,

The report of the committee on Counties and County Lines, relative to H.B. No. 61, recommending amendments thereto,

Was taken up,

Mr Watts moved that the report of the Committee be agreed to,

Which motion prevailed,

H.B. No. 44. A bill for an act relating to the exemption of volunteer firemen as jurors and from paying poll tax in the State of Colorado and to repeal certain acts relating thereto,

Was read a third time,—

Mr A.D. Wilson moved to amend Sec. 1 by adding thereto the words "in the county where such service was rendered."

Which motion was lost.

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS,~~ ALBERTS, ~~ALFORD~~, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER,~~ MAYER, ~~MARSHMAN, McBROOM~~, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS,~~ PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY~~, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER.— 27

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN~~, HELM, IRWIN, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, LUTHER, ~~MAYER, MARSHMAN~~, McBROOM, ~~McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, ~~RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W.~~, YOUNG, ~~MR. SPEAKER~~.— 12

Gentlemen absent and not voting were:

Alberts, Carlile, Griffin, Kruse, Lake, Marshman, McMurray, Moss, Phelps, A.D. Wilson — 10

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS, ALFORD~~, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN~~, HELM, IRWIN, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 38

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 2

Gentlemen absent and not voting were:

Alberts, Alford, Carlile, Griffin, Kruse, Lake, McMurray, Moss, Phelps — 9

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

The following message was received from the Senate:

State of Colorado
Senate Chamber
Denver Feby. 7. 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has passed —— S.B. No. 75. "A Bill for an act to establish the County of Gunnison"

And requests the concurrence of the House therein
Also
Has amended and passed
H.B. No. 206. "A Bill for an act to appropriate moneys to pay for the ~~return~~ capture and return of Fugitives from Justice,"
And requests the concurrence of the House in Senate amendments,
S.B. No. 95, and H.B. No. 206. herewith transmitted.

Respectfully
Geo F Clark
Secy of the Senate.

Mr Simmons moved that the vote by which H.B. No. 94 passed, be reconsidered,

And that the motion to reconsider be laid on the table

Which motion to lay on the table prevailed,

At 4.40 P.M.

Mr Laraway moved that the House do now adjourn

Which motion was lost,

H.B. No. 204. A Bill for an act to provide for paying the expenses of locating the Public Lands,

Was read a third time,

Mr Rand moved to amend by making the appropriation "Ten thousand

dollars" instead of "twenty thousand dollars"

Which motion prevailed,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

Green

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, ~~CHAVES, CARLILE~~, ESQUIBEL, GOTTHELF, ~~[illegible]~~, IRWIN, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, LUTHER, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, ~~SURLES~~, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER — 32

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD~~, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN~~, HELM, ~~IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER, MAYER~~, MARSHMAN, ~~McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER~~, SIMMONS, ~~SMITH, STOKES~~, SURLES, ~~VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~ — 7

Gentlemen absent and not voting were:

Alberts, Alford, Chaves, Carlile, Griffin, Kruse, Lake, McMurray, Moss, Phelps — 10

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

H.B. No. 777 a Bill for an Act relating to the assessment of the value of the improvements in actions brought to recover real property or the possession thereof,

Was read a third time

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ~~ALFORD~~, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, ~~GREEN, GRIFFIN~~, HELM, ~~IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM, McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY, RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 29

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER, MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 7

Gentlemen absent and not voting were:

Alford, Carlile, Green, Griffin, Irwin, Kruse, Lake, McBroom, McMurray, Moss, Phelps, Rainey, Wilkins — 13

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

H.B. No. 250. A Bill for an act to encourage the destruction of grasshoppers and to raise a special fund therefor in the State of Colorado,

was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN~~, GRIFFIN, HELM, ~~IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN, PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS, SMITH, STOKES~~, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER — 25

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA~~, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN, HELM~~, IRWIN, KITTREDGE, ~~KRUSE, LAKE, LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS, PIERCE, RAINEY, RAND, RANSOM~~, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, STOKES, ~~SURLES~~, VIJIL, ~~WATTS~~, WILKINS, ~~WILSON, A. D., WILSON, GEO. W.~~, YOUNG, ~~MR. SPEAKER~~ — 18

Gentlemen absent and not voting were:

Carlile, Kruse, Lake, McMurray, Moss, Phelps — 6

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

At 5:05 P.M.
Mr Wilkins moved that the House do now adjourn,
which motion was lost,
H.B. No. 251. A Bill for an act to submit to the qualified electors of the State of Colorado an amendment to Sec. 19. of Art 6 of the Constitution of the State of Colorado, concerning the Judicial department
was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL,~~ GOTTHELF, GREEN, GRIFFIN, HELM, ~~IRWIN,~~ KITTREDGE, ~~KRUSE, LAKE, LANGFORD, LARAGOITE~~, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY, RAND~~, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES, SURLES~~, VIJIL, ~~WATTS, WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 27

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD~~, LUTHER, ~~MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, RAND, ~~RANSOM, SCHINNER, SEIBER~~, SIMMONS, ~~SMITH~~, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 13

Gentlemen absent and not voting were:

Carlile, Irwin, Kruse, Lake, Laraguite, McMurray, Moss, Phelps, A. D. Wilson — 9

A ~~constitutional~~ two-thirds majority not having voted in favor of the passage of the bill,

The bill ~~passed~~. failed to pass

~~And the title was agreed to.~~

Mr Simmons moved that the vote by which H.B. No. 257 failed to pass, be reconsidered,

Which motion prevailed,

Mr Helm moved ~~that~~ that the further consideration of H.B. No. 257, be made a Special Order for 10 A.M. Tuesday next, Feby 13, 1877

Which motion prevailed,

The joint Committee on Enrollment presented the following report,

MR. SPEAKER:

The Joint Committee on Enrollment presented H.B. No. 2, An Act to repeal an Act entitled an Act concerning costs in criminal Cases approved Feby 7 1876.

to his Excellency, the Governor, for his approval, at 3 30 o'clock, P. m., Feby 7th A.D. 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 5.15 P.M.
Mr Sarazoite moved that the House do now adjourn,
Which motion did not prevail,
Mr Hulin moved that the order of the day be suspended, and that S.B. No. 75, be now put upon its final reading,
Which motion was lost,
At 5.16 P.M.
Mr. Rand moved that the House do now adjourn,
Which motion was lost,
Mr Rand moved that

the House do now go into Committee of the whole for the consideration of bills on General Orders,

Which motion did not prevail;

At 5.17 P.M.

Mr Watts moved that the House do now adjourn,

Which motion prevailed,

And the House adjourned to 9.15 A.M. tomorrow, Thursday, February 8, 1897

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Seventy - Fourth Day

Twenty Fourth Day

Thursday Feby. 8 1877

House met at 9:15 a m.
Speaker in the chair.
Prayer by the chaplain.
The roll was called,
And the following gentlemen were present and answered to their names:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, ~~KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 41.

Being a quorum of the House.

Absent Messrs; Alberts, Carlile, Kittredge, Kruse, Lake, Laragoite, McMurray, Moss — 8.

Journal of the previous days session was read and approved.

The following communication was received from His Excellency, the Governor;

State of Colorado
Executive Dept,
Denver Feby, 7, 1877

Hon W. D. Anthony.
Speaker of House of Representatives
Sir:

I have the honor to inform you, that I have this day signed House Bill No. 265 entitled "An Act for the relief of the widow of C Dominguez" and have filed the same with

the Senate of Texas.

Very respectfully
John L. Rountree,
Governor.

Senate amendments to H.B. No. 192 were taken up.

Mr Phelps moved that the House concur in all the Senate to H.B. No. 192, except the second amendment to Sec. 1

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD~~, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, ~~KITTREDGE, KRUSE, LAKE, LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT, McINTIRE, McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY~~, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W.~~, YOUNG, ~~MR. SPEAKER~~ — 27

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, ~~MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, ~~RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. — 12

Gentlemen absent and not voting were:

Alberts, Alford, Carlile, Kruse, Lake, McIntyre, McMurray, Moss, A. D. Wilson, Geo. W. Wilson — 10

A constitutional majority having voted in favor ~~of the passage of the bill,~~ of concurring in the amendments

The ~~bill passed~~. amendments were concurred in.

~~And the title was agreed to.~~

Mr Morehouse moved that the second amendment to Sec. 1 be amended by striking out the last proviso.

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS,~~ ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE,~~ ESQUIBEL, GOTTHELF, ~~GREEN~~, GRIFFIN, HELM, IRWIN, KITTREDGE, ~~KRUSE, LAKE,~~ LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE, McMURRAY~~, MOREHOUSE, ~~MOSS,~~ PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., ~~WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. 38.

and none
~~Gentlemen voting~~ in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~

Gentlemen absent and not voting were:

Alberts, Carlile, Green, Kruse, Lake, Laragoite, McDutyre, McMurray, Moss, Smith, Geo W. Wilson. 11.

A constitutional majority having voted in ~~favor of the passage of the bill,~~ the affirmative

~~The bill passed.~~

~~And the title was agreed to.~~

The amendment was amended.

At 10. A.M.

The hour having arrived for the consideration of the Special Order, being H.B. No. 75.

Mr Alford moved that the further consideration of H.B. No. 75, be postponed until the 15th of February, 1877

Upon the motion to postpone, Mr A.D. Wilson demanded the "Yeas" and "Nays"

Which were had with the following result,

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON~~, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE, LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, ~~RAINEY, RAND, RANSOM, SCHINNER~~, SEIBER, SIMMONS, SMITH, ~~STOKES, SURLES~~, VIJIL, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 18.

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, ~~CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, ~~GREEN~~, GRIFFIN, HELM, ~~IRWIN~~, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, ~~MAYER~~, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS, PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, ~~SEIBER, SIMMONS, SMITH~~, STOKES, SURLES, ~~VIJIL, WATTS, WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 23.

Gentlemen absent and not voting were:

Alberts, Carlile, Green, Kruse, Lake, Mayer, McMurray, Moss — 8

~~A constitutional majority having voted in favor of the passage of the bill,~~

~~The bill passed.~~

~~And the title was agreed to.~~

And so the motion to postpone did not prevail.

The following message was received from the Senate:

State of Colorado
Senate Chamber
Denver, Feby. 8. 1877.

To the Honorable
The House of Representatives
of the State of Colorado:

I am instructed to inform your Honorable body that the Senate requests the return of H.B. No. 206, "A Bill for an Act for the capture and return of Fugitives from Justice" for further

Consideration

Respectfully
Geo T Clark
Secy of the Senate,

The House then resolved itself into Committee of the whole for the consideration of the Special Order,

With Mr Pierce in the chair,

After some time spent therein the Committee arose and through its chairman presented the following report,

Mr Speaker,- The Committee of the whole House have had under consideration S. P. No. 75

H. R. No. 75, A bill for an act to provide for the Branding and care of Stock, and to repeal all previous Acts in relation thereto,

And instruct me to report the same back to the House with the recommendation that it be referred to a Special Committee of five

W. H. Pierce, Chairman

Mr McBroom moved that the report of the Committee of the whole be agreed to,

Which motion prevailed

Mr Green was granted leave of absence until tomorrow at noon,

By unanimous consent

Mr Morehouse moved that the vote by which H.B. No. 54 passed, be reconsidered,

Which motion prevailed.

Mr Wilkins moved that the House do now ~~a~~ take a recess until two o'clock this afternoon,

Which motion prevailed,

And at 11:55 A.M. the House took a recess

At two o'clock in the afternoon the House was called to order by the Speaker,

S.B. No. 75. A Bill for an act to ~~cate~~ create and establish the County of Gunnison

Also

H.B. No. 61. A bill for an act to repeal Section two and Six of Chapter fifty-three of the Revised Statutes, relating to license required to be paid by peddlers and other persons, and to enact other provisions in lieu thereof,

Were read a first time,

S.M. & J.R. No. 13. Asking Congress to provide a fund for the payment of bounties for the destruction of Grasshoppers

Was read a second time,

Mr Phelps moved that it be ordered to a third reading without being referred to the Committee of the whole

Which motion prevailed,

Mr Morehouse was excused from attendance upon this afternoons session of the House,

H.B. No. 32 a bill for an act to establish a State Board of Agriculture and to define their duties,

Also

H.B. No. 61. a Bill for an act concerning Counties, County officers and County Government and repealing all laws on these subjects

Also

H.B. No. 259. a Bill for an act concerning the more definite location of County Lines,

Were read a second time, and placed on General Orders to be considered in committee of the whole House,

Mr Pierce was granted leave of absence for the remainder of the afternoon,

Mr Wilkins moved that the rules be suspended and that the House do now go into committee of the whole for the consideration of H.B.

No. 104. and other bills on General Orders,

Mr Ransom moved as an amendment that the House go into Committee of the whole on General Orders,

Which motion was lost,

The question recurring upon the motion to go into Committee of the whole on H.B. No. 104 and other bills on General Orders,

The motion prevailed,

And the House resolved itself into committee of the whole,

With Mr Kittredge in the chair,

After some time spent therein the Committee arose and through its Chairman presented the following report;

Mr Speaker:- The Committee of the whole House have had under consideration

H.B. No. 104 a bill for an act to regulate the practice of medicine,

Have gone through therewith and made some amendments thereto, and instructed me to report the same back to the House, with the recommendation that the amendments be agreed to, the amendments printed, and with the recommendation that the bill be passed as amended, Also.

H.B. No. 176 A bill for an act to repeal an act entitled an act providing for the fencing of lands where grass is cut and put in stacks in Las Animas County,

And instructing me to report the same back to the House with the recommendation that it be passed,

C W Kittredge
Chairman,

Mr Phelps moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,

Mr Wilkins moved that ~~the~~ H.B. No. 176, be considered Engrossed and put upon its final passage now,

Which motion prevailed, and

H.B. No. 176. A bill for an act to repeal an act entitled an act providing for the fencing of lands where grass is cut and put in stacks in Las Animas County,

Was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ~~ARCHULETA, CANFIELD, CHACON~~, CHAVES, ~~CARLILE, ESQUIBEL~~, GOTTHELF, ~~GREEN~~, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, ~~LAKE, LANGFORD~~, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS~~, PATTEN, PHELPS, ~~PIERCE~~, RAINEY, RAND, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES, SURLES, VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 30.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM~~, SCHINNER, ~~SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 9.

Gentlemen absent and not voting were:

Alberts, Archuleta, Canfield, Chacon, Carlile, Esquibel, Green, Lake, McMurray, Morehouse, Moss, Pierce, Simmons, Surles, Vijil, A. D. Wilson — 16.

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

The Speaker announced as the Special Committee to take in charge H.B. No. 75, Mssrs Gotthelf, Lord, Kittredge, Laragoite and McBroom.

Mr McDuffy moved that Mr Patten be granted leave of absence until Monday, Next, July. 12, 1897.

Which motion prevailed.

At 5:15 PM.

Mr Phelps moved that the House do now adjourn,

which motion prevailed,
and the House adjourned to 9.45 A.M. tomorrow, Friday, February 9, 1877

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Seventy - Fifth Day

Twenty-Fifth Day

Friday February 9. 1897.

House met at
Speaker in the chair.
Prayer by the chaplain.
The roll was called,
And the following gentlemen were present and answered to their names:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, ~~GREEN~~, GRIFFIN, HELM, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN, PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, VIJIL, ~~WATTS, WILKINS~~, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. 36

Being a quorum of the House.

Absent Messrs. Alberts, Carlile, Green, Kittredge, Lake, McMurray, Moss, Patten, Phelps, Simmons, Watts, Wilkins, Young — 13.

Journal of the previous day's session was read and approved.

The Judiciary Committee presented the following reports:

MR. SPEAKER:

Your Committee on Judiciary to whom was referred H.B. No. 49, A Bill for an act to amend the existing laws of Gunlock in this state

have had the same under consideration [illegible] report it back with the recommendation that it be passed

Phelps Chairman

MR. SPEAKER:

Your Committee on Judiciary to whom was referred H.B. No. 256. A Bill for an act relating to Citizens from Justices to County or District Courts and regulate the practice thereof and to repeal all other acts in relation thereto have had the same under consideration, and report it back with the recommendation that it be passed

A. C. Phelps Chairman.

The Committee on Elections and Apportionment presented the following report,

MR. SPEAKER:

Your Committee on Elections and Apportionment to whom was referred H.B. No. 96. A Bill for an Act authorizing Clerks of the District and Circuit Court of the United States of the State of Colorado to take affidavits acknowledgements of Deeds, bonds Chattel Mortgages and other instruments of writing and also to take depositions of witnesses in civil cases have had the same under consideration, and report it back with the recommendation that it be laid on the table

H. J. Rider

MR. SPEAKER:

Your Committee on Elections and Apportionments to whom was referred H. B. No. 152. A Bill for an Act relating to the abduction of women

have had the same under consideration, and report it back with the recommendation that it be laid on the table

H. J. Kruse Chairman.

MR. SPEAKER:

Your Committee on Elections & Apportionment to whom was referred H. B. No. 274 A Bill for an act to provide for the publication of all existing laws in force after adjournment of this General Assembly

have had the same under consideration, and report it back with the recommendation that it be laid on the table

H. J. Kruse Chairman.

The following communication was received from His Excellency, the Governor;

State of Colorado
Executive Department
Denver Feby. 8. 1877

Hon. W. D. Anthony
Speaker of House of Representatives
Sir:

I have the honor to inform you, that I have this day signed House Bill No. 70 Entitled "An Act to repeal an Act entitled An Act concerning costs in criminal cases, Approved Feby. 7. 1876" and have filed the same with the Secretary of State.

Very respectfully
John L. Routt
Governor.

Mr Wilkins was granted leave of absence for the day,

S.B. No. 75. A Bill for an act to establish the County of Gunnison, Also

H.B. No. 178 A bill for an act to repeal an Act concerning fences and enclosures in Conejos County and in other Counties under certain circumstances, approved Feby 7. 1874

Was read a second time and placed on General Orders to be considered in Committee

of the whole House,

The Committee on Engrossment submitted the following reports:

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 89, A Bill for an act relating to the rights and duties of landlords and tenants,

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 48, A Bill for an act to provide for regular provisions in cases of bastardy

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 55.
A Bill for an act in relation to the jurisdiction of Justices of the Peace and the practice of Justice Courts

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 63.
A Bill for an act to repeal section seven (7) of Chapter thirty five (35) of the revised Statutes of the Territory of Colorado and enact other provisions in lieu thereof

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 267 A Bill for an Act to reimburse the County of Arapahoe for expenses incurred in the support, care and maintenance of insane paupers

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 225 A Bill for an act to amend the existing laws of forcible entry and detainer in respect to service, notice, demand and process

and find the same correctly engrossed.

N. C. Alford, Chairman.

The reports of the Committee on Elections and Apportionment relative to H.B. No. 96. H.B. No. 152, and H.B. No. 194. recommending that they be laid on the table, was taken up.

Mr Kruse moved that the report of the Committee be agreed to

Messrs Rand and Stokes demanded a call of the House,

The roll was called, when

Mr Adams moved that further proceedings under the call of the House be dispensed with,

Which motion was lost,

Messrs Moss, Phelps and Watts were reported absent without leave,

And the Sergeant-at-Arms was instructed to bring in the absentees,

Mr Marshman moved that further proceedings under the call of the House be dispensed with,

And upon this motion Mr Adams demanded the "Yeas" and "Nays"

Which were had ~~th~~ with the following result,

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE~~, ESQUIBEL, GOTTHELF, ~~GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE, LANGFORD~~, LARAGOITE, ~~LEONARD~~, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES~~, SURLES, ~~VIJIL, WATTS, WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 21

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, ~~MAYER, MARSHMAN, McBROOM~~, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN, PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, ~~SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES~~, VIJIL, ~~WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~ — 14

Gentlemen absent and not voting were:

Alberts, Carlile, Green, Griffin, Helm, Lake, ~~Lacagoite~~ Langford, McMurray, Moss, Patten, Phelps, Simmons, Watt, Wilkins — 14

The motion, failing to receive a two thirds majority, did not prevail,

Mr Mayer moved that further proceeding, under the call of the House be dispensed with,

And upon this motion Mr McBroom demanded the "Yeas" and "Nays",

Which were had with the following result,

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, ~~CHAVES, CARLILE~~, ESQUIBEL, GOTTHELF, ~~GREEN~~, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD~~, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, ~~RAND, RANSOM~~, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES, SURLES, VIJIL, WATTS, WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 22

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA~~, CANFIELD, ~~CHACON~~, CHAVES, ~~CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, ~~MAYER, MARSHMAN, McBROOM~~, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN, PHELPS~~, PIERCE, ~~RAINEY~~, RAND, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, SURLES, VIJIL, ~~WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 16

Gentlemen absent and not voting were:

Alberts, Carlile, Green, Helm, Lake, McMurray, Moss, Patten, Phelps, Watts, Wilkins — 11

The motion failing to receive a two-thirds majority, did not prevail,

The Sergeant-at-Arms appeared at the bar of the House with the body of Mr Phelps in charge,

Mr Phelps, being called upon for an excuse, explained the cause of his absence,

Whereupon Mr Kittredge moved that the Sergeant-at-Arms be instructed to discharge Mr Phelps

which motion prevailed,

The Sergeant at Arms produced the body of Mr Watts,

Whereupon Mr Marshman moved the the Sergeant-at-Arms be instructed

to release Mr Watts;

Which motion prevailed

Mr Adams moved that further proceedings under the call of the House be dispensed with;

Which motion prevailed,

The question recurring upon the motion to agree to the report of the Committee on Elections and Apportionments,

The motion prevailed,

S.B. No. 44, was taken up for a third reading,

And pending the reading of the bill,

Mr Phelps moved that its further consideration be postponed until Tuesday next, Feby 13. 1877,

Which motion prevailed,

S.B. No. 125, A Bill for an Act to regulate the conditions of appeal ~~Bonds~~ bonds, and Supersedeas bonds when the judgment or decree complained of is for the recovery of lands or the possession thereof,

Having been read a third time,

And its further consideration having been postponed until Feby 8, 1877,

And it not having been reached on yesterday,

Was taken up,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ~~ESQUIBEL~~, GOTTHELF, ~~GREEN~~, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, ~~LANGFORD, LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 36.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN~~, HELM, ~~IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 3.

Gentlemen absent and not voting were:

Alberts, Carlile, Esquibel, Green, Lake, Laragoite, McMurray, Moss, Patten, Wilkins — 10.

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

And the House ordered that the bill take effect immediately upon its final passage as provided in the emergency clause therein contained.

S.M. & J.R. No. 13. Asking Congress to provide a fund for the payment of rewards for the destruction of grasshoppers,

Was read a third time,

The question being upon the passage of the ~~bill~~, Joint Resolution

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ~~ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE, ESQUIBEL,~~ GOTTHELF, ~~GREEN~~, GRIFFIN, HELM, ~~IRWIN, KITTREDGE~~, KRUSE, ~~LAKE,~~ LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, RAND, ~~RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, ~~SURLES, VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W., YOUNG,~~ MR. SPEAKER. — 27.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD~~, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, ~~RAINEY, RAND, RANSOM, SCHINNER, SEIBER~~, SIMMONS, ~~SMITH, STOKES~~, SURLES, VIJIL, ~~WATTS, WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~. — 9.

Gentlemen absent and not voting were:

Alberts, Carlile, Green, Irwin, Lake, Laragoite, McIntyre, McMurray, Morehouse, Moss, Patten, Ransom, Wilkins — 13.

A constitutional majority having voted in favor of the passage of the ~~bill~~, Joint Resolution

~~The bill passed~~. The Joint Resolution passed.

~~And the title was agreed to.~~

S.B. No. 48. a bill for an act to provide for regulating prosecutions in cases of bastardy, was read a third time,

Mr Rand moved to amend Sec. 1, by inserting after the word "complainant" the words "and all witnesses", which motion prevailed,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ~~ARCHULETA~~, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN~~, GRIFFIN, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER — 30.

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE~~, ESQUIBEL, GOTTHELF, ~~GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 5.

Gentlemen absent and not voting were:

Alberts, Archuleta, Chacon, Chaves, Carlile, Green, Irwin, Lake, McDermitt, McMurray, Morehouse, Moss, Patten, Wilkins. — 14

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

H.B. No. 55, a bill for an act relating to the jurisdiction of justices of the peace and the practice of justice courts,

Was read a third time,

Mr Phelps moved ~~the~~ to strike out Sec. 4, and insert other matter as a substitute therefor,

Mr Rand called for a

division of the question,

The vote was first taken upon the motion to strike ~~out~~,

Which motion was lost,

The question then recurring upon the motion to strike out and insert,

The motion did not prevail

Mr Kittredge moved that the bill be referred to the Judiciary Committee, with instructions to report specifically what laws are to be repealed by this act,

Which motion did not prevail

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, ~~GREEN~~, GRIFFIN, HELM, ~~IRWIN~~, KITTREDGE, KRUSE, ~~LAKE~~, ~~LANGFORD~~, LARAGOITE, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES, SURLES~~, VIJIL, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. 30.

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD~~, LUTHER, ~~MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, ~~RANSOM, SCHINNER, SEIBER~~, SIMMONS, ~~SMITH~~, STOKES, SURLES, ~~VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. 7

Gentlemen absent and not voting were:

Alberts, Carlile, Green, Irwin, Lake, McDermitt, McMurray, Morehouse, Moss, Patten, Wilkins, A D Wilson, 12

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was ~~agreed to~~ amended so as to read

A Bill for an Act relating to the ~~Jur~~ jurisdiction of justices of the peace and the practice in justices courts,

And as thus amended,

The title was agreed to,

H.B. No. 63. A Bill for an act to repeal Sec. 7 of Chap 35 of the revised Statutes of the Territory of Colorado, and enact other provisions in lieu thereof,

Was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF~~, ~~GREEN~~, GRIFFIN, ~~HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD, LEONARD~~, LEONARD, LORD, LUTHER, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, ~~RAINEY, RAND~~, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 24.

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, ~~CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE, LANGFORD, LEONARD~~, ~~LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 8

Gentlemen absent and not voting were:

Alberts, Chaves, Carlile, Green, Helm, Irwin, Lake, Langford, Marshman, McMurray, Moss, Patten, Rainey, Wilkins — 14.

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

H.B. No. 89. a bill for an act relating to the rights and duties of landlord and tenant.

Was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, ~~GREEN~~, GRIFFIN, ~~HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD~~, LARAGOITE, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE, McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN, PHELPS~~, PIERCE, ~~RAINEY, RAND~~, RANSOM, SCHINNER, ~~SEIBER, SIMMONS~~, SMITH, ~~STOKES~~, SURLES, VIJIL, ~~WATTS, WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~. — 23

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON~~, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN~~, PHELPS, ~~PIERCE~~, RAINEY, RAND, ~~RANSOM, SCHINNER~~, SEIBER, SIMMONS, ~~SMITH~~, STOKES, ~~SURLES, VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. — 13

Gentlemen absent and not voting were:

Alberts, Chacon, Carlile, Green, Helm, Irwin, Kittredge, Lake, McDermitt, McMurray, Moss, Patten, Wilkins — 13

A constitutional majority having not voted in favor of the passage of the bill,

The bill ~~passed.~~ failed to pass

~~And the title was agreed to.~~

H.B. No. 1115 a Bill for an act to amend the existing laws of forcible Entry and detainer in respect to service, notice, demand and process,

Was read a third time

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON~~, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, ~~GREEN~~, GRIFFIN, ~~HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, LARAGOITE, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE, McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. 31

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~. 5

Gentlemen absent and not voting were:

Alberts, Chacon, Carlile, Green, Helm, Irwin, Kittredge, Lake, McIntyre, McMurray, Moss, Patten, Wilkins 13

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

~~And the title was agreed to.~~

Mr Phelps moved to amend the title by inserting the word "of" between the words "service" and "notice"

Which motion prevailed,

And as thus amended

The title was agreed to,

H.B. No. 267, a Bill for an act to reimburse the County of Arapahoe,

Was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON~~, CHAVES, ~~CARLILE~~, ~~ESQUIBEL~~, GOTTHELF, ~~GREEN~~, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, ~~LANGFORD, LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 34.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, ~~CHAVES, CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. 6.

Gentlemen absent and not voting were:

Alberts, Carlile, Green, Helm, Lake, McMurray, Moss, Patten, Wilkins

9

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

And the House ~~resolved itself~~ ordered that it take effect immediately upon its final passage as provided in the emergency clause therein contained.

Mr Adams, in explanation of his vote on H.B. No. 267, said that he voted "yea" in order that the emergency might take effect.

Mr Morehouse moved that the House do now take a recess until two o'clock this afternoon.

Which motion prevailed,

And at 12,10 P.M. the House took a recess.

The House was called to order at 2 o'clock by the Speaker.

Mr Kittredge moved that the third reading and final passage of H.B. No. 44 be made a Special Order for next Tuesday morning immediately after the reading of the Journal.

Which motion prevailed.

Mr Smith moved that Mr Kittredge be granted leave of absence until Tuesday next. July, 13. 1877.

Which motion prevailed.

Mr Young was excused for tomorrow.

And Mr Lavayette was granted leave of absence for the afternoon.

Mr Phelps moved that the vote by which H.B. No. 89. failed to pass this forenoon be reconsidered and that the motion to reconsider be postponed until Wednesday next, February 14. 1877, and be considered immediately after the reading of the Journal.

Which motion to postpone prevailed.

Messrs Pierce and Irwin were granted leave of absence for the afternoon,

Mr Ransom moved that the House do now go into Committee of the whole for the consideration of bills on General Orders,

Which motion prevailed.

And the ~~whole~~ House resolved itself into Committee of the whole,

With Mr Simmons in the Chair,

After some time spent therein the Committee arose and through its Chairman presented the following report,

Mr Speaker:— The Committee of the whole House have had under consideration

H.B. No. 194 a Bill for an act relating to preserving Evidence of deaths and heirship.

And instruct me to report the same back to the House ~~and recommend~~ its passage. Also

~~H.B. No. 246 a Bill for an act concerning navigation~~

~~Have made some amendments~~

H.B. No. 101 A bill for an act prescribing an educational qualification for electors,

And instruct me to report the same back to the House with the recommendation that it be indefinitely postponed,

Also

H.B. No. 246. A Bill for an concerning irrigation

Have made some amendments therein, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to,

T. F. Simmons
Chairman

Mr Phelps moved that the report of the committee of the whole be agreed to,

Mr Morehouse called for a division of the question, so far as related to H.B. No. 101.

Mr Simmons called for a division of the question, so far as related to H.B. No. 246.

The vote being first ~~put~~ taken upon agreeing to the report of the Committee ~~of the whole~~, relative to H.B. No. 246

That portion of the report was agreed to,

The question then recurring upon the motion to agree to the report

so far as it related to H.B. No. 204.

That portion of the report was agreed to.

Mr Phelps moved that further consideration of the report of the Committee of the whole be postponed until Monday next, and that it be made a Special Order for that day.

Which motion prevailed.

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Feby 9. 1877

To The Honorable
The House of Representatives
of the State of Colorado.

I am instructed to inform your Honorable body that the Senate has amended and passed S.B. No. 106. "A Bill for an act to appropriate moneys to pay for the capture and return of fugitives from Justice" also has passed S.B. No. 118 "A Bill for an act to preserve the Public Health" all of which are herewith transmitted. The concurrence of the House is requested in S.B. No. 118 and amendments to H.B. No. 206

Respectfully
Geo F Clark
Secy of the Senate.

Mr Pierce moved that Mr Langford be excused for one week, which motion prevailed,

At 5:10 P.M.

Mr Raid moved that the House do now adjourn, which motion was lost,

Mr Luther was granted leave of absence until noon tomorrow,

The Joint Committee on Enrollment presented the following report,

MR. SPEAKER;

The Joint Committee on enrollment have examined HB. No. 38, "An Act to provide for the ~~right~~ exercise of the right of Eminent Domain" also HB. No 61. "A Bill for an act to provide a Seal for the Supreme Court of Colorado" also HB No. 119. "An Act to provide for the payment of the balance due A.R. Dyer and C. Domingues for translating the constitution of Colorado into the Spanish language" and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

MR. SPEAKER:

The Joint Committee on enrollment have examined S.M. & J.R. No. 18, To the Congress of the United States praying for the establishment of a Military Post between Fort Lyon and ~~Union~~ Union, and near the line between Colorado and New Mexico

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

MR. SPEAKER:

The Joint Committee on enrollment have examined S.B. No. ~~79~~ 79, A Bill for an act to designate the holidays to be observed in the acceptance ~~of~~ and payment of bills of Exchange and promissory notes, in the holding of courts ~~and~~ and relation to continuance of suit

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The Committee on Printing presented the following report;

Mr Speaker, Your committee on Printing report amended H.B. No 270 correctly ~~printed~~ printed

J. Sciles
Chairman

The following ~~Communication~~ communication was received from His Excellency the Governor!

State of Colorado
Executive Dept,
Denver Feby 9, 1877.

Hon A. D. Anthony
Speaker of House of Representatives
Sir,

I am informed by the Commissioner of the U S Land Office that "the fees which the Register and Receiver will be entitled to receive for their services in making selections are ~~one~~ $1,00 each for each final location of 160 acres, the same to be paid by the State."

It will, therefore, be necessary for your Honorable Body to provide for ~~f~~ meeting this expense,

The number of sections will be about 1025 exclusive of the school sections viz. Nos. 16 and 36 in each township

Very respectfully
John L. Routt
Governor

The communication was referred to the Committee on Public Lands,

At 5:15 P.M. the Speaker, in the presence of the House, signed

A.B. No. 35. A Bill for an act to provide for the exercise of the right of eminent domain,

Also

A.B. No. 62. A bill for an act to provide a Seal for the Supreme court,

Also

A.B. No. 119. A bill for an act to provide for the payment of the balance due A.R. Dyer and C. Dunnigan for translating the Constitution into the Spanish language,

Also,

A.B. No. 29. A bill for an act to designate holidays to be observed in the acceptance and payment of bills of exchange, etc

Also

S.M. & J.R. No. 12 asking Congress to establish a Military Post between Forts Lyon and Union

At 5:18 P.M.

Mr Rand moved that the House do now adjourn,

Which motion prevailed,

And the House adjourned to 9:15 A.M. tomorrow Saturday July 10, 1877

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Seventy-Sixth Day

Twenty-Sixth Day

Saturday Feby. 10. 1877

House met at 9.15 a.m.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE~~, ~~LANGFORD, LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS, PATTEN~~, PHELPS, PIERCE, ~~RAINEY~~, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W.~~, ~~YOUNG~~, MR. SPEAKER. 35

Wilson Geo. W.

Being a quorum of the House.

Absent Messrs Alberts, Carlile, Kittredge Lake, Langford, Laragoite, Luther, McMurray, Morehouse, Moss, Patten, Rainey, Wilkins, Young — 14

Journal of the previous days session was read and approved,

Messrs Rainey, Laragoite and Wilkins were granted leave of absence for the day,

Senate amendments to "H.B. No 206 A bill for an act to appropriate moneys to pay for the capture and return of Fugitives from Justice"

Were taken up,

Mr A.D. Wilson moved that the House concur in the Senate amendments

The "Yeas" and "Nays" were

had,

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, ~~IRWIN, KITTREDGE~~, KRUSE, ~~LAKE~~, ~~LANGFORD, LARAGOITE~~, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN~~, PHELPS, PIERCE, ~~RAINEY~~, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. — 33.

And none in the negative, Gentlemen absent and not voting were;

Alberts, Carlile, Irwin, Kittredge, Lake, Langford, Laragoite, Luther, McIntyre, McMurray, Morehouse, Moss, Patten, Rainey, Wilkins, Young — 16

A Constitutional majority having voted in favor of concurring in the amendment,

The amendments were concurred in,

And the House ordered that the bill take effect immediately upon its final passage as provided in the emergency clause therein contained,

By consent,

The Committee on Claims presented the following report, Mr Speaker;-

Your Committee on Claims to whom was referred H.B. No. 245 An Act to provide for the completion of the records of the office of the Secretary of State have had the same under consideration and recommend that it be amended as follows;

strike out, commencing after the word incorporation in line three and all of line four, and after the date 1876 in line six to date 1891 in line ten, commencing with line fourteen strike out all including the words correspondence in line seventeen, In lines 33 and 34 strike out fifteen hundred and insert one thousand, Thus amended your Committee recommend that the bill be passed,

T. J. Watts

MR. SPEAKER:

Your Committee on Claims

to whom was referred H.B. No. 276 An Act for the relief of E. W. Brewster

have had the same under consideration, and report it back without ~~with~~ the recommendation ~~that it be~~ for the action of the House, being in doubt as to the constitutionality of the bill

T. J. Watts Chairman.

H.B. No. 118. a bill for an Act to preserve the public Health,

also,

H.B. No. 49. a bill for an Act to amend the existing law of

evidence in this State,

Also

H.B. No. 56. A Bill for an act concerning certiorari from justices to the county and district courts, and regulate the practice thereof, and to repeal all other act in relation thereto,

Were read a first time,

Report of the Committee on Claims, relative to H.B. No. 245, recommending certain amendments thereto,

Was taken up,

Mr Alford moved that the report of the Committee be agreed to,

And upon this motion,

Mr Rand demanded the "yeas" and "nays"

which were had with the following result,

Gentlemen voting in the affirmative were.

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CA~~ ~~ESQUIBEL~~, GOTTHELF, ~~GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, ~~McBROOM, McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, ~~PIERCE, RAINEY, RAND~~, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER — 20

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD~~, LORD, LUTHER, ~~MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~ — 10

Gentlemen absent and not voting were,

Abbott, Carlile, Green, Gribbin, Haley, Kittredge, Lake, Langford, Lovejoy, McBroom, McMurray, Moss, Patten, Pierce, Rainey, Stokes, Wilkins, A. D. Wilson, Young — 19,

And so the motion to agree prevailed,

Mr Watts moved that the House do now go into Committee of the whole for the consideration of bills on General Order

Which motion prevailed

And the House resolved itself into committee of the whole, With Mr Canfield in the chair,

After some time spent therein the committee arose and through its chairman presented the following report;

Mr Speaker;- The Committee of the whole House have had under consideration

H.B. No. 24. a bill for an Act to prohibit and punish the importation, manufacture and sale of adulterated, imitation and poisonous liquors, and creating a commission of excise, and prescribing his duties

Have made some amendments thereto, and instruct me to report the same back to the House without recom-

resolutions, viz

S.B. No. 79, a bill for an act relating to adulterated liquors,

Have made some amendments thereto, and recommend the same be sent back to the House without recommendation,

And further recommend that the consideration of the report be made a Special Order for next Wednesday at two o'clock in the afternoon,

Isaac Canfield
Chairman,

Mr. Phelps moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,

Mr A D Wilson moved that Mr Lord be granted leave of absence until next Tuesday,

Which motion prevailed,

The following message was received from the Senate,

State of Colorado
Senate Chamber
Denver July 10 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has passed S.B. No. 49, "A Bill for an Act to provide for the construction

of buildings used for public assemblages", and S.B. No. 73. "An Act to prevent the firing of woods and prairies" and requests the concurrence of the House therein; S.B.s No. 49 and No 73 are herewith transmitted,

Respectfully
Geo F Clark
Secy of the Senate.

Messrs Pierce, Griffin and McBroom were granted leave of absence ~~until next Wednesday~~ for the afternoon,

Mr Rand moved that Mr Phelps be granted leave of absence until next Wednesday,

Which motion prevailed,

Mr Marsheman moved that Mr Kinne be excused until next Tuesday,

~~Which~~ Which motion prevailed

At 12 M.

Mr Rand moved that the House do now adjourn,

Which motion was lost,

Mr Irwin moved that the House do now take a recess until two o'clock this afternoon,

Which motion prevailed

And at 12:02 PM. the House took a recess,

The Speaker called the House to order at two o'clock in the afternoon,

The joint Committee on Enrollment presented the following report!

MR. SPEAKER:

The Joint Committee on Enrollment presented Senate Bills No. 38 — 62 — 79 — 119, also S.M. & J.R. No. 12

to his Excellency, the Governor, for his approval, at 12 o'clock, P. m., February 10, 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The Committee on Enrollment presented the following report,

MR. SPEAKER:

Your Committee on Enrollment have examined H.B. No. 206, An act to appropriate moneys to pay expenses and claims incurred under law concerning fugitives from justice

and find the same correctly enrolled.

A. A. Smith, Chairman

Mr A L Wilson was excused from attendance upon this afternoons session of the House,

Mr Simmons moved that Mr Stilson be granted leave of absence for one week,

Which motion prevailed.

Mr Vigil was granted leave of absence for the afternoon,

Mr Smith moved that the House do now go into committee of the whole for the consideration of bills on General Orders,

Mr Irwin moved as an amendment that the House do now go into Committee of the whole for the consideration of H.B. No. 241, and other bills on General Orders,

Which motion prevailed.

The question recurring upon the motion as amended,

The motion prevailed.

And the House resolved itself into committee of the whole,

With Mr Canfield in the chair.

After some time spent therein the committee arose and through its chairman presented the following report;

Mr Speaker: The Committee of the whole House have had under consideration

H.B. No. 241, A Bill for an act to create and establish the County of Humboldt,

Have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to, and recommend that it be considered engrossed, and also recommend its passage as amended, Also,

S.B. No. 26. A Bill for an act to provide for the formation of Corporations,

And instruct me to report the same back to the House ~~back to~~ with the recommendation that it be made a Special Order for Thursday next at 10. A.M.

Also

S.B. No. 34. A bill for an act to prohibit the herding of sheep in the neighborhood of Cities and Towns, and to repeal all acts in relation thereto,

And instruct me to report the same back to the House with the recommendation that its consideration be postponed for the present.

Also

H.R. No. 68 a bill for an act concerning lotteries;

Have made some amendments thereto, and instruct me to report the same back to the House with the recommendation

Isaac Canfield
Chairman,

Mr Stokes moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,

The joint Committee on Enrollment presented the following report,

MR. SPEAKER;

The Joint Committee on enrollment have examined H.B. No. 206 An Act to appropriate money to pay expenses and claims incurred under the laws concerning fugitives from justice

and find the same correctly enrolled.

Geo. W. Wilson,
Chairman on the part of the House of the Joint Com. on Enrollment.

At 5:47 P.M.

The Speaker, in the presence of the House, signed

H.B. No. 206, a bill for an act to appropriate moneys to pay ~~ex~~ expenses and claims incurred under the law concerning fugitives from justice,

By consent

Mr Seibar presented the remonstrance of citizens of Fremont County against the consideration of a certain petition for the organization of the County of Humboldt.

Mr Irwin moved the remonstrance be laid on the table,

Which motion prevailed,

Mr Stokes moved that the House do now adjourn,

And upon the motion to adjourn,

Mr Ransom demanded the "yeas" and "nays"

Which ~~were~~ were had with the following result:

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD~~, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD~~, LUTHER, ~~MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, SURLES, ~~VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. — 10

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA~~, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF~~, GREEN, ~~GRIFFIN, HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH, STOKES, SURLES, VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. — 11

Gentlemen absent and not voting were:

Adams, Alberts, Alford, Carlile, Gotchell, Griffin, Helm, Kittredge, Lake, Langford, Laragoite, Lord, Mayer, Marshman, McBroom, McIntyre, McMurray, Morehouse, Moss, Patten, Phelps, Price, Rainey, Smith, Vijil, Wilkins, A D Wilson, Young — 28

The being no quorum present and voting,

The Speaker, at 3:38 P.M. adjourned the House to Monday next, February 12, 1877, at a quarter past nine in the forenoon.

Daily Journal

of the

General Assembly

of the

State of Colorado

First Session

Seventy-Seventh Day

Thirty-Ninth Day

Monday, February 12, 1877:

House met at

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, ~~GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE~~, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER~~, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, ~~SCHINNER~~, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. 39

Being a quorum of the House.

30

Absent Messrs Alberts, Green, Griffin, Helm, Kittredge, Kruse, ~~Lake~~, Langford, Lord, Luther, Marshman, Massey, Phelps, Schinner, Young — 13

Mr Luther was excused from attendance upon to days session of the House,

Journal of the previous days session was read and approved,

The Committee on Printing presented the following report;

Mr Speaker;

Your Committee on Printing report H.B. No. 268, Also Amendments to H.B. No 44, Also H.B. No. 61 and 259 correctly printed

J. Surles

Chairman,

S.B. No. 49. A Bill for an act to provide for the construction of buildings used for public assemblages,

Also

S.B. No. 73. A Bill for an act to prevent the firing of Woods & Prairies,

Also

H.B. No. 245 A Bill for an act to provide for the expense of completing and perfecting the records in the office of the Secretary of State,

Also

H.B. No. 296. A Bill for an for the relief of E.O. Brewster,

Were read a first time,

S.B. No. 118. A Bill for an act to preserve the Public Health,

Also

H.B. No. 49. A Bill for an act to amend the existing laws of evidence in this state,

Also

H.B. No. 56. A Bill for an act concerning certiorari from justices of the Peace to county and district courts, and regulating the practice therein, and to repeal all other acts in relation thereto,

Also

H.B. No. 61. A Bill for an act to repeal sections 7 and 8 of Chapter 53. of the revised Statutes, relating to licenses

required to be paid by peddlers and other persons, and to enact other provisions in lieu thereof,

Also.

H.B. No. 268. A Bill for an act to provide for the payment of a property road tax by the inhabitants of towns and villages in certain cases,

Were read a second time, and placed on General Orders to be considered in Committee of the whole House,

The following message was received from the Senate,

State of Colorado
Senate Chamber
Denver Feby 12. 1877.

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate insists on its amendment to H.B. No. 192 "A Bill providing for the disposition of Lots and Parcels of Land held in trust etc. Also

Has passed H.B. No. 275 A Bill to amend the existing laws of Forcible Entry and Detainer etc.

Also

Has passed S.B. No. 28. A Bill for an act regulating Elections. The concurrence of the

House is requested to concur in S.B. No. 28. and amendments to H.B. No. 192.

H.B. No. 275 H.B. No. 192. & S.B. No. 28. are herewith transmitted

Respectfully
Geo F Clark
Secy of the Senate.

H.P. No. 241. A Bill for an Act to create and establish the County of Humboldt.

Was read a third time, when

Mr Irwin moved that the vote upon its passage, be made a Special Order for 3:30 P.M. tomorrow,

Which motion prevailed.

The committee on Engrossment presented the following report,

MR. SPEAKER:

Your Committee on Engrossment have examined H.P. No. 44. A Bill for an act to provide for the assessment and collection of revenue and to repeal certain acts in relation

and find the same correctly engrossed. as amended

N. C. Alford, Chairman.

Messrs McWilson, and Young were granted leave of absence for the day.

Mr Green was excused from attendance upon the Sessions of the House from day to day on account of Sickness,

Mr Watts moved that the House do now go into committee of the whole for the consideration of bills on General Orders,

Which motion prevailed.

And the House resolved itself into committee of the whole,

With Mr Watts in the Chair,

After some time spent therein the Committee arose and through its Chairman presented the following report,

Mr Speaker! The Committee of the whole House have had under consideration

S.B. No. 19. A Bill for an act to provide for the payment of the claim of William Whiste for translating the Constitution of the State into the German language,

And instruct me to report the same back to the House and recommend its passage; Also

H.B. No. 71 A Bill for an act making an appropriation for insane paupers,

Have made some amendments thereto, and instruct me to report the same back to

the House with the recommendation that the amendments be agreed to; Also

H.B. No. 209 A Bill for an act to legalize the proceedings of the County Commissioners and assessors of the Counties of San Juan and La Plata in the assessment and collection of taxes therein for the years 1874, 1875 & 1876.

Have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendment be agreed to, and the bill passed as amended; Also

H.B. No. 205. A Bill for an act for the purpose of paying the expenses of the State Penitentiary,

Have made ~~some~~ an amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendment be agreed to, and the bill passed as amended; Also

H.B. No. 178. A Bill for an act to repeal an act entitled an act concerning fences and enclosures in Conejos County and in other counties under certain circumstances, approved February 12, 1874,

And instruct me to report the same back to the House and recommend its passage; Also

H.B. No. 290, A Bill for an act to amend an act to provide for the payment of Stock Killed by railroads and railway companies, approved Feby. 9. 1872.

And instructed ~~me~~ me to report the same back, to the House and recommend its passage; Also

H.B. No. 171, A Bill for an act regulating the practice in case of preliminary examinations ~~by~~ before justices of the peace while acting as conservators of the peace,

And instructed me to report the same back to the House with the recommendation that its consideration be postponed for the present,

T. Jefferson Watts
Chairman;

Mr Canfield moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,

And the amendments proposed by the committee of the whole were ordered printed,

Mr A.D. Wilson moved that H.B. No. 170 be considered engrossed,

Which motion prevailed,

The Joint Committee on Enrollment presented the following reports,

MR. SPEAKER;

The Joint Committee on enrollment have examined S.M. & J.R. No. 5 "Requesting the Senators and Representatives from Colorado in the Congress of the United States to secure, if possible, such legislation as will appropriate the proceeds of the sale of the Public Lands in the several States ~~of~~ afflicted with grasshoppers to those States to be used in the payment of bounties for the destruction of such grasshoppers" and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

MR. SPEAKER;

The Joint Committee on enrollment have examined S.B. No. 127 "A Bill for an act to repeal Section 273 of Chapter 27 of the revised Statutes and to enact other provisions in lieu thereof" and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

Mr Canfield moved that the House do now take a recess until

two o'clock this afternoon,

Which motion prevailed,

And at 12:05 P.M. the House took a recess,

The Speaker called the House to order at two o'clock in the afternoon,

At 2:03 P.M. the Speaker in the presence of the House, signed

S.M.&J.R. No. 13. asking Congress to provide a fund from which to pay bounties for the destruction of Grasshoppers,

Also,

S.B. No. 127. a Bill for an act to repeal Sec. 273 of Chap. 77 of the revised Statutes, and to enact other provisions in lieu thereof,

Mr Alford introduced the following resolution:

Resolved, That hereafter this House shall take two recesses daily, one after the morning session until 2 o'clock P.M. and one after the session in the afternoon until 7.30 P.M. Nor shall any adjournment extend beyond the times specified unless so mentioned in the motion to adjourn.

Mr Alford moved that the resolution be adopted,

And demanded the "Yeas" and "Nays"

(which were had with the following result;

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD, CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL~~, GOTTHELF, ~~GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE, McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY, RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, ~~SURLES, VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. — 21.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA~~, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE, LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT~~, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES~~, SURLES, ~~VIJIL~~, ~~WATTS~~, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. — 13

Gentlemen absent and not voting were:

Alberts, Young, Griffin, Helm, Kittredge, Kruse, Lake, Langford, Lord, Luther, McMurray, Moss, Phelps, Vijil, Young — 15.

And so the motion to adopt the resolution prevailed.

Mr Simmons moved that the vote by which the further consideration of H.B. No. 241 was made a Special Order for 3,30 P.M. tomorrow, be reconsidered, which motion prevailed,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, ~~CHAVES~~, CARLILE, ~~ESQUIBEL~~, GOTTHELF, ~~GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE~~, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. — 33

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON~~, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 3

Gentlemen absent and not voting were:

Adams, Alberts, Green, Griffin, Helm, Kittredge, Kruse, Langford, Laragoite, Lord, Luther, Moss, Young. — 13

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

And the House ordered that the bill take effect immediately upon its final passage as provided in the emergency clause therein contained.

Mr McCutyn moved that the House do now go into Committee of the whole for the consideration of bills on General Orders,

Which motion prevailed,

And the House resolved itself into committee of the whole, With Mr Watts in the Chair.

After some time spent therein the Committee arose and through its Chairman presented the following report,

Mr Speaker:- The Committee of the whole House have had under consideration

S.B. No. 61. A Bill for an act concerning Counties, County officers and County government, and repealing all laws on these subjects,

Have made some ~~amendments~~ progress, and instruct me to ~~report~~ ask leave to sit again at ten o'clock tomorrow forenoon,

T Jefferson Watts,
Chairman

Mr Rand moved that the report of the Committee of the whole be agreed to

Mr Ransom moved that the report of the committee be amended by striking out the time mentioned for the Committee to sit again;

Which motion prevailed

The question recurring upon the adoption of the report as amended,

The motion prevailed,

The Committee on Enrollment presented the following report;

MR. SPEAKER:

Your Committee on Enrollment have examined HR No. 775 An Act to amend the existing laws of forcible entry and detainer in respect to service of notice, demand and proceedings

and find the same correctly enrolled.

A. A. Smith, Chairman.

At 5:25 P.M.
Mr Wilkins moved
that the House do now
adjourn
Which motion prevailed
and the House adjourned
to 9:15 A.M. tomorrow, Tuesday
February 13. 1877

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Seventy-Eighth Day

Ninety Eighth Day

Tuesday Feby 13, 1877

House met at 9:15 a m

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, ~~LANGFORD~~, LARAGOITE, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 41

Being a quorum of the House.

Absent Messrs Alberts, Gottheff, Helm, Lake, Langford Luther, Moss — Phelps — 8

Mr A D Wilson was granted leave of absence today,

Journal of the previous days session was read and approved.

H.B. No. 44. A Bill for an act to provide for the assessment and collection of revenue, and to repeal certain acts in relation thereto,

Having been made a special order for this forenoon immediately after the reading of the Journal,

Was taken up for further consideration,

Mr Kittredge moved to amend the bill by striking out the amendments made in Committee

of the whole, relative to the taxation of railroads,

And upon the motion to strike out, demanded the "Yeas" and "Nays".

Which were had with the following result,

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, KITTREDGE, ~~KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT~~, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, ~~RAND~~, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS, SMITH, STOKES, SURLES, VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 13

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, ~~HELM, IRWIN, KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE, McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, ~~WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 28

Gentlemen absent and not voting were;

Alberts, Gotthelf, Helm, Langford, Luther, Moss, Phelps, A. D. Wilson — 8

And so the motion to strike out did not prevail

The bill was then read a third time,

Pending the reading of the bill,

Mr Marshman moved that Sec. 2 be stricken out.

Which motion was lost.

When the third reading

of the bill had been completed,

Mr Watts moved to amend Sec 6, by adding thereto the following words, "a poll tax not to exceed one dollars, for such purposes as shall be determined by the county commissioners,"

Which motion to amend prevailed.

Mr Watts moved to amend Sec xx by adding to the Schedule in said section, the words "the No. of Polls,"

Which motion to amend prevailed.

Mr Irwin moved to amend the bill by inserting the following as Sec 133, "In all cases where parties ~~owe~~ owing taxes shall be entitled to receive warrants from County Treasurer, such county Treasurer shall deduct the amount of such taxes due and unpaid from the amount of such warrant before delivering the same".

Which motion to amend did not prevail,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS,~~ ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. 39

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER~~, SIMMONS, ~~SMITH, STOKES, SURLES~~, VIJIL, ~~WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~ 3

Gentlemen absent and not voting were:

Alberts, Helm, Langford, Luther, Moss, Phelps, A. D. Wilson 7

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

And the House ordered that the bill take effect immediately ~~and~~ upon its final passage as provided in the emergency clause therein contained,

H. B. No. 251. A bill for an act to submit to the qualified electors of the State of Colorado, an amendment to Sec 19 of Article 6 of the Constitution of the State of Colorado, concerning the Judicial Department,

Having failed to pass on

the ninth of February

and the vote by which it failed to pass having been reconsidered,

and its further consideration having been made a Special Order for 10. a.m. today

was taken up,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 41.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 1.

Gentlemen absent and not voting were:

Alberts, Helm, Langford, Luther, Moss, Phelps, A. D. Wilson — 7

A constitutional majority (2/3 of all the members elected to the House) having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

H.B. No. 101, a Bill for an act prescribing an educational qualification for electors,

Having been considered in committee of the whole House,

And the Committee having

recommended that the bill be indefinitely postponed,

And the consideration of the report of the Committee having been made a special order for yesterday.

And not having been taken up at that time,

Was taken up for consideration,

The question recurring upon the motion to agree to the report of the committee,

Mr Adams demanded the "Yeas" and "Nays",

Which were had with the following result,

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS, ALFORD~~, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN, HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD~~, LARAGOITE, ~~LEONARD~~, LORD, ~~LUTHER~~, MAYER, ~~MARSHMAN, McBROOM, McDERMOTT, McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS~~, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIGIL, WATTS~~, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. — 19

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS~~, ALFORD, ~~ARCHULETA~~, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN~~, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, ~~KRUSE~~, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER, MAYER~~, MARSHMAN, ~~McBROOM, McDERMOTT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS, PIERCE, RAINEY, RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, ~~VIGIL~~, WATTS, ~~WILKINS, WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. — 2

Gentlemen absent and not voting were:

Alberts, Helm, Langford, Luther, Moss, Phelps & D. Wilson

And so the report of the ~~motion to agree to the~~ Committee of the whole was not agreed to,

Mr Smith presented the petition of citizens of Boulder, praying

for the passage of H.B. No. 101,

which was placed on file to be considered in connection with the bill to which it referred.

The joint Committee on Enrollment presented the following ~~repo~~ report;

MR. SPEAKER:

The Joint Committee on Enrollment presented S.B. No. 206, S.B. No. 197 and S.M. & J.R. No. 13

to his Excellency, the Governor, for his approval, at 5 10 o'clock, P. m., February 17, A.D. 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The Committee on Printing presented the following report

SPEAKER:

Your Committee on Printing report accordingly ~~to whom was referred~~ H. House Bill No. 101 of Corrected, printed

~~have that it ought under consideration, report it back with the recommenda-tion that it be~~

J. Drew Chairman

The Committee on Immigration presented the following reports;

MR. SPEAKER:

Your Committee on Immigration *to whom was referred* H.B. No. 133 A Bill for an act concerning married women

have had the same under consideration, and report it back with the recommendation that it be laid on the table

Chas R Sieber *Chairman.*

MR. SPEAKER:

Your Committee on Immigration *to whom was referred* H.B. No. 149 A Bill for an act relating to immigration

have had the same under consideration, and report it back with the recommendation that it be laid on the table

Chas R Sieber, *Chairman.*

The Committee of Conference on H.B. No. 8. presented the following report:

Mr Speaker:-

The Committee of Conference on H.B. No. 8. (known as the salary bill) have fully considered the same: and submit the following report, viz.

The Salaries of the Officers of the Executive and Judicial Departments of the State to be as follows;

Governor	$3,000-
Governors Private Secretary	1,000.-
Lieut Governor	1,000.-
Secretary of State	2,200.-
Clerical Assistant for Secy of State	1,000.-
Treasurer of State	2,000.-
Auditor of State	2,000
Supt. of Public Instruction	2,000
Attorney General	2,000
Supreme Judges each	3,250.
District Judges each	3250.
District Attorneys	800.

and all fees

W. A. Hamill Senate
N. H. Meldrum "
H. O. Bennet "

C. H. McIntyre House
A. E. Morehouse "
D. F. Wilkins "

Mr Morehouse moved that the report of the Committee of

of Conference on H.B. No. 5, be agreed to,

Mr Adams moved as an amendment that the consideration of the report be made a Special Order for 11 a.m. tomorrow.

Upon the motion to make a special Order

Mr Canfield demanded the "Ayes" and "Nays"

Which were had with the following result:

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS, ALFORD~~, ARCHULETA, ~~CANFIELD~~, CHACON, ~~CHAVES~~, CARLILE, ESQUIBEL, GOTTHELF, ~~GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 11.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS~~, ALFORD, ~~ARCHULETA~~, CANFIELD, ~~CHACON~~, CHAVES, ~~CARLILE, ESQUIBEL, GOTTHELF~~, GREEN, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 31.

Gentlemen absent and not voting were:

Alberts, Helm, Langford, Luther, Moss, Phelps and Wilson — 7

And so the motion to make a special Order did not prevail.

The question recurring upon the motion to agree,

Mr Simmons moved the previous question,

Which was seconded by 29

an a roll-call vote,

And the main question was ordered,

Mr Rand demanded the "Yeas" and "Nays"

Which were had with the following result;

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 33

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL~~, GOTTHELF, ~~GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 9

Gentlemen absent and not voting were:

Alberts, Helm, Langford, Luther, Moss, Phelps, A D Wilson — 7

And so the motion to agree to the report, prevailed.

Mr Simmons moved that the House do now take a recess until 2 PM. today,

Which motion prevailed

And at 12:10 PM. the House took a recess.

The House was called to order by the Speaker at two o'clock in the afternoon,

Mr Stokes moved that Mr Irwin be granted leave of absence for the afternoon,

Which motion prevailed.

H.B. No. 192 was taken up for further consideration,

One of the Senate amendments thereto had been amended by the House.

In which the Senate refused to concur,

Mr Patten moved that further consideration of H.B. No. 192 be indefinitely postponed,

Which motion prevailed.

Mr Patten moved that H.B. No. 37, be taken from the table and placed on General Orders,

Which motion prevailed,

Mr Morehouse called up H.B. No. 54,

The vote by which it passed having been reconsidered,

The question recurred upon the passage of the bill,

Mr Morehouse moved to amend Sec. 1. by inserting after the word "shall" the sixth word in the section, the words "fifty days" and by striking out the words "after the close of" and inserting

in lieu thereof the word "pending"
Which motion prevailed.

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN~~, GRIFFIN, ~~HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS, PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 34.

~~Gentlemen voting~~ and none in the negative ~~were~~:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.

Gentlemen absent and not voting were:

Alberts, Gotthelf, Green, Helm, Irwin, Kittredge, Lake, Langford, Laragoite, Lord, McBroom, Moss, Phelps, Pierce, A D Wilson — 15

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

Mr Kruse moved the H.B. No. 238. be taken from the table and ordered to a first reading,
Which motion prevailed.
S.B. No. 28. A Bill for an act regulating elections and repealing all Territorial acts upon the subject,
Also
H.B. No 238. A Bill for an act providing for the sale of lots and parcels of land in the City of Central, and

to repeal Sections 2 and 3 of an act for the relief of the inhabitants of the city of Central, approved July 1st 1876,

Were read a first time,

Mr Smith was granted leave of absence until 10. a.m. tomorrow,

S.B. No. 49, a Bill for an act to provide for the construction of buildings used for public assemblages,

Also

S.B. No. 93. a Bill for an act to ~~provide~~ prevent the firing of woods and Prairies

Were read a second time, and placed on General Orders to be considered in Committee of the whole House,

The report of the Committee on Immigration relative to S.B. No. 133 and S.B. No. 149, recommending that they be laid on the table, was taken up,

Mr Rand moved that the report of the committee be agreed to,

Which motion prevailed,

S.B. No. 19. a bill for an act to provide for the payment of the claim of William Whist for translating the Constitution of the State into the German language,

Was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD~~, ARCHULETA, ~~CANFIELD, CHACON~~, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN~~, GRIFFIN, ~~HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS, PIERCE~~, RAINEY, ~~RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH, STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. —— 26.

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY,~~ RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. —— 3.

Gentlemen absent and not voting were:

Alberts, Alford, Canfield, Chacon, Carlile, Gotthelf, Green, Helm, Irwin, Kittredge, Lake, Langford, Laragoite, Lord, McBroom, Moss, Phelps, Pierce, Smith, Wilkins —— 20

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

H.B. No. 101. A Bill for an Act prescribing an educational qualification for electors,

was read a third time,

Mr Wilkins moved to amend Sec 1. of the bill by striking out the words "the English language",

which motion prevailed,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN~~, GRIFFIN, ~~HELM, IRWIN, KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS, PIERCE~~, RAINEY, ~~RAND~~, RANSOM, SCHINNER, SEIBER, ~~SIMMONS, SMITH, STOKES, SURLES, VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 19.

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD~~, ARCHULETA, ~~CANFIELD, CHACON~~, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD~~, LUTHER, ~~MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, ~~RANSOM, SCHINNER, SEIBER~~, SIMMONS, ~~SMITH~~, STOKES, SURLES, VIJIL, ~~WATTS~~, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. 13.

Gentlemen absent and not voting were:

Alberts, Alford, Canfield, Chacon, Gotthelf, Green, Helm, Irwin, Kittredge, Langford, Laraguite, Lord, McBroom, Moss, Phelps, Pierce, Smith 17

A constitutional majority having voted in favor of the passage of the bill,

The bill ~~passed~~ failed not to pass.

~~And the title was agreed to.~~

H.B. No. 270. a Bill for an act to repeal an act entitled an act providing for the payment for stock killed by railroads and railway companies approved Feby 9. 1877, and to repeal other provisions in lieu thereof.

Was read a third time,

Mr A D Wilson moved that the further consideration of H.B. No. 270. be made a special Order for Tuesday next, February 20. 1877. at ten o'clock in the forenoon,

Mr McDuffy moved that further consideration of H.B. No. 270. be indefinitely postponed,

And upon this motion,

Mr Rand demanded the "Yeas" and "Nays"

Which were had with the following result!

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD~~, ARCHULETA, ~~CANFIELD, CHACON, CHAVES~~, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD, LUTHER, MAYER, MARSHMAN, McBROOM~~, McDERMITT, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS~~, PIERCE, ~~RAINEY, RAND~~, RANSOM, ~~SCHINNER, SEIBER~~, SIMMONS, ~~SMITH, STOKES, SURLES~~, VIJIL, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. — 15

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS~~, ALFORD, ~~ARCHULETA, CANFIELD, CHACON~~, CHAVES, ~~CARLILE, ESQUIBEL, GOTTHELF, GREEN~~, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD~~, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, ~~McDERMITT, McINTIRE~~, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS, PIERCE~~, RAINEY, RAND, ~~RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS, SMITH~~, STOKES, SURLES, ~~VIJIL, WATTS~~, WILKINS, WILSON, A. D., ~~WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. — 28

Gentlemen absent and not voting were!

Alberts, Canfield, Chacon, Gotthelf, Green, Helm, Irwin, Langford, Moss, Phelps, ~~Pierce~~ Smith — 11

And so the motion to indefinitely postpone did not prevail,

The question recurring upon the motion to make the bill a Special Order,

The motion prevailed.

H.B. No. 68. A Bill for an act concerning lotteries,

Was taken up as unfinished

Messrs

Mr Marshman moved that the bill be read a third time and put upon its final passage,

Which motion prevailed

And the bill was read a third time,

Mr Morehouse moved that the further consideration of H.B. No. 68. be made a special Order for 10. A.M. tomorrow,

Which motion was lost,

The question recurring upon the passage of the bill,

Messrs Morehouse and Lake demanded a call of the House,

Which was had

and Messrs Canfield, Chacon, Green and Moss were reported absent without leave,

Mr Marshman moved that further proceedings under the call of the House be dispensed with,

Which motion was lost, and

The Sergeant At Arms was instructed to bring in the absentees,

Mr Ransom moved that further proceedings under the call of the House be dispensed with.

Which motion did not prevail,

Mr Watts moved that further proceeding under the call of the House be dispensed with,

Which motion was lost,

Mr McIntyre, at 4:05 P.M. moved that the House do now adjourn,

Which motion did not prevail,

Mr Geo W Wilson moved that further proceedings under the call of the House be dispensed with,

Which motion was lost,

The Sergeant-at-Arms appeared at the bar of the House with the body of Mr Chacon in charge,

Mr Chacon explained the reason of his absence,

Whereupon

Mr Pierce moved that Mr Chacon be ~~excused~~, released

Which motion prevailed.

Mr Watts moved that further proceedings under the call of the House be dispensed with,

Which motion prevailed.

Mr Green was excused from attendance upon this afternoons session of the House,

The question again recurring upon the passage of

H.B. No. 68. A Bill for an Act Concerning lotteries,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE~~, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, ~~McINTIRE~~, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM~~, SCHINNER, ~~SEIBER, SIMMONS, SMITH, STOKES~~, SURLES, ~~VIJIL, WATTS, WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 17.

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, ~~GREEN~~, GRIFFIN, ~~HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD~~, LARAGOITE, ~~LEONARD, LORD, LUTHER, MAYER~~, MARSHMAN, ~~McBROOM, McDERMITT~~, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY~~, RAND, RANSOM, ~~SCHINNER~~, SEIBER, SIMMONS, ~~SMITH~~, STOKES, ~~SURLES~~, VIJIL, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 21.

Gentlemen absent and not voting were:

Alberts, Green, Helm, Irwin, Kittredge, Lamoyite, Lord, Moss, Phelps, Smith, A. D. Wilson — 11.

A constitutional majority not having voted in favor of the passage of the bill,

The bill ~~passed.~~ failed to pass.

Mr Simmons moved that the vote by which H.B. No. 68. failed to pass, be reconsidered

and that the motion to reconsider be laid on the table,

Which motion to lay on the table prevailed.

The third reading of H.B. No. 44. a bill for an act to prescribe certain powers and duties of the officers of the Executive department and certain rules in relation to the fiscal affairs of the State,

Having been made a special Order for this day,

The bill was taken up and read a third time;

Mr Pierce moved to amend article 2, by adding thereto the following as Sec 5; "The Secretary of State may appoint a deputy to act for him when he may deem necessary, who shall have full authority to act in all things relating to the office; Provided, that the Secretary shall be responsible for all acts of such deputy, and shall provide for his compensation without cost to the State."

Which motion prevailed,

Mr Pierce moved to amend Sec 10, of Article 4 as follows;

Strike out all of Sec 10 after the word "warrant," in line 3 of the printed bill, and insert as follows; "Presented (space for date of presentation) No funds. This warrant draws interest from this date at the rate of 10 per cent per annum, ——— State Treasurer. The State Treasurer shall sign said indorsement and redeem to bearer thereof;"

Which motion prevailed

Mr Pierce moved to amend Sec 11 of Article 4 by inserting in line 16 of the printed copy, between the words "presented" and "worry," the following;

Provided, however, that nothing in this section shall be so construed as to prevent the Treasurer from receiving State warrants from the county Treasurers in payment of taxes due the State, whether such warrant shall be registered or not, or whether there shall be sufficient money in the Treasury to pay the same, or that the same may not be due in regular order as registered."

Which motion prevailed.

Mr Simmons moved to amend Article 7 of the bill by adding thereto the emergency clause as follows:

"Sec. xx. Inasmuch as the duties of the present State officers are not prescribed by law, this General Assembly is of the opinion that an emergency exists requiring the immediate passage of this act, therefore this act shall take effect and be in force from and after its passage."

Which motion prevailed,

And all of the above amendments were ordered printed,

Mr Pierce moved that the final passage of S.B. No. 44, be postponed and made a special order for 11 A.M. tomorrow,

Which motion was lost,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN~~, GRIFFIN, ~~HELM, IRWIN, KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, ~~A. D., WILSON~~, GEO. W., YOUNG, MR. SPEAKER. — 35

and none in the negative

~~Gentlemen voting in the negative were~~:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.

Gentlemen absent and not voting were:

Alberts, Gotthelf, Green, Helm, Irwin, Kittredge, Langford, Laragoite, Lord, McBroom, Moss, Phelps, Smith, A. D. Wilson — 14

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

And the House ordered that the bill take effect immediately upon its final passage as provided in the emergency clause therein contained.

At 5:10 P.M.

Mr Wilkins moved that the House do now adjourn,

Which motion prevailed.

And the House adjourned to 9:15 A.M. tomorrow, Wednesday February 14. 1877

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of the
General Assembly
of the
State of Colorado

First Session

Seventy-Ninth Day

Twenty-Ninth Day

Wednesday Feby 14. 1877

House met at

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, ~~GREEN~~, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE~~, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS, SMITH, STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.— 38

Being a quorum of the House.

Absent Messrs Alberts, Carlile, Green, Helm, McIntyre, Moss, Phelps, Simmons, Smith Stokes Wilkins - 11.

Mr Phelps was granted leave of absence for the day.

Mr Marshman moved that the members who were not present at roll call be excused from attendance upon to days session of the House.

Which motion prevailed

Journal of the previous days session was read and approved.

Mr Ransom presented the following statement which was ordered to be spread upon the journal;

Mr Speaker;

I desire the record of the names of those voting on the passage of House Bill No. 68. - A Bill for an

act concerning bathing, voted upon in this House yesterday, to be amended, so that my name shall be recorded in the affirmation; for these reasons

I am in favor of the passage of the bill, I voted "No" for the purpose of moving for a reconsideration. The vote for the bill was too small to warrant a reconsideration, I arose to my feet while the Speaker was in the act of declaring the vote, but was not recognized until he was through, and objection being made, my vote was not then allowed to be changed,

Respectfully

Daniel Ransom.

The Joint Committee on Enrollment presented the following report;

MR. SPEAKER;

The Joint Committee on enrollment have examined H.B. No. 725, An Act to amend the existing laws of forcible entry and detainer in respect to service of notice demand and process

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 11:42 A.M. the Speaker, in the presence of the House, signed

H.B. No. 225. A bill for an act to amend the existing laws of forcible entry and detainer in respect to service of notice, demand and process.

S.B. No. 28. A bill for an act regulating elections and repealing all Territorial act upon the subject:

Was read a third time,

And placed on General Orders ~~for~~ to be considered in Committee of the whole House.

The following message was received from the Senate;

To The Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has adopted report of Committee of Conference on H.B. No. 8, "concerning Salaries of Officers of the Executive and Judicial ~~Dept~~ Departments"

H.B. No. 8 and report of Committee of Conference are herewith transmitted.

Respectfully
Geo T Clark
Secy of the Senate.

Mr A D Wilson was granted leave of absence for the day.

Mr Pierce moved that the House do now go into Committee of the whole for the consideration of bills on General Orders,

Which motion prevailed,

And the House resolved itself into Committee of the whole,

With Mr Rand in the chair.

After some time spent therein the Committee arose and through its Chairman presented the following report;

Mr Speaker:- The Committee of the whole House have had under further consideration

S.P. No. 61. A Bill for an Act concerning Counties, County Officers and County Government, and repealing all laws on these subjects,

Have made numerous amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to.

George Rand,
Chairman,

Mr Alford moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,

The following message was received from the Senate;

and the amendments proposed by the Committee of the whole were ordered printed

State of Colorado
Senate Chamber
Denver, Feby 14. 1897.

To The Honorable
The House of Representatives
of the State of Colorado.

I am instructed to inform your Honorable body that the Senate refuses to pass
H.B. No. 48. "To provide for regulating prosecution in cases of Bastardy"
~~H.B. No. 94~~ that the Senate has amended and passed
H.B. No. 94 "Exempting Firemen as Jurors and from paying a Poll Tax." and
H.B. No. 151. "relating to the Supreme Court Library" also that the Senate has indefinitely postponed
H.B. No. 58. "to repeal Section 16 of Chapter 55 of the Revised Statutes,
House Bills No. 48, 94, 151 and 58 are herewith transmitted

Respectfully
Geo F. Clark
Secy of the Senate.

Mr ~~Harshman~~ Morrhouse moved that the House do now take a recess until two oclock this afternoon,

Which motion prevailed
And at 12:17 P.M.
the House took a recess

At two o'clock in the afternoon the Speaker called the House to order,

The House moved that S.B. No. 8. be taken from the table and ordered to a second reading,

Which motion prevailed.

The hour having arrived for the consideration of the Special Order, being H.B. No. 24 and H.B. No. 220

The Special Order was taken up for consideration, and

H.B. No. 24 a bill for an act to prohibit and punish the importation, manufacture and sale of adulterated, imitation and poisonous liquors, and creating a commissioner of excise, and prescribing his duties

Was first considered,

Mr Simmons moved that the further consideration of

H.B. No. 220 a bill for an act concerning adulterated liquors,

Be indefinitely postponed,

Which motion prevailed,

Mr Ransom moved that the amendments proposed by the committee of the whole to H.B. No. 24 on the 10th instant be agreed to,

Which motion prevailed.

And the said amendments were ordered printed

Mr Nassau moved that H.B. No. 24. be ordered engrossed for a third reading,

Which motion prevailed.

S.B. No. 8. a bill for

an Act regulating the power of granting and disolving injunctions and restraining orders, and the mode of obtaining mandatory writs of injunctions and the practice under each in case of disobedience, and to repeal Chapter 43 of the Revised Statutes and Section 2 of an Act concerning mines, approved February 13, 1874, and the Act amendatory thereof, entitled an Act to amend an Act entitled an Act concerning mines, approved February 13th, 1874, and approved February 11th, 1876.

Was read a second time, and placed on General Orders to be considered in Committee of the whole House,

Mr Masshman moved that the House do now go into Committee of the whole for the consideration of bills on General Orders,

Which motion prevailed.

And the House resolved itself into Committee of the whole, with Mr Rand in the chair.

After some time spent therein the committee arose and through its chairman presented the following report;

Mr Speaker:- The Committee of the whole House have had under consideration

H.B. No. 259. a bill for an act concerning the more definite location of

Committee Lines,

And instruct me to report the same back to the House and recommend its passage; Also

S.B. No. 118. A Bill for an act to promote the Public Health, -

Have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to, and the bill passed as amended; also

H.B. No. 49. A bill for an act to amend the existing laws of Evidence in this State,

And instruct me to report the same back to the House with the recommendation that its consideration be postponed for the present; also

H.B. No. 61. A bill for an act to repeal Sections two and six of Chapter fifty-three of the Revised Statutes, relating to license required to be paid by peddlers and other persons, and to enact other provisions in lieu thereof,

Have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to, and the bill passed a amended; also

H.B. No. 268. A bill for an act to provide for the payment of a

property road tax by the inhabitants of towns and villages in certain cases,

And instructs me to report the same back to the House with the recommendation that it be indefinitely postponed; Also

S.B. No. 49 A bill for an act to provide ~~tay~~ for the construction of buildings used for public assemblages,

And instructs me to report the same back to the House and recommend its passage; Also

S.B. No. 73. A Bill for an act to prevent the firing of woods & Prairies,

Have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendments be agreed to, and the bill put upon its final passage; Also

S.B. No. 32. A bill for an Act to repeal Section 2 of an Act to provide for the further execution of the trust relating to the town site of the Town of Idaho Springs, and to regulate the same, and provide for a substitute therefor.

And instructs me to report the same back to the House and recommend its passage,

Moses Rand
Chairman,

Mr Young moved that

the report of the Committee of the whole be agreed to

Which motion prevailed.

The following communication was received from His Excellency, the Governor:

State of Colorado
Executive Dept.
Denver Feby 14. 1877.

Hon. W. D. Anthony
Speaker of House of Representatives.
Sir:

I have the honor to inform you, that I have this day signed H.B. No. 206. "An act to appropriate moneys to pay expenses and claims incurred under the law concerning fugitives from Justice", and have filed the same with the Secretary of State

Very Respectfully
John L. Routt,
Governor

At 5 o'clock in the afternoon,

Mr Patten moved that the House do now adjourn,

Which motion prevailed.

And the House adjourned to 9:15 a.m. tomorrow, Thursday Feby 15. 1877.

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Eightieth Day

Eighteenth Day

Thursday Feby 15th 1877.

House met at 9:15 a.m.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 42

Being a quorum of the House.

Absent Messrs Alberts, Helm, Irwin, Lake, Moss, Smith, Wilkins — 7

Mr Phelps was granted leave of absence for the day.

Journal of the previous days session was read and approved.

Mr Smith was granted leave of absence for the day.

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Feby 15 1877.

To the Honorable
The House of Representatives
of the State of Colorado.

I am instructed to inform your Honorable body that

The Senate has passed H.B. No. 135. "A Bill for an act for the relief of Las Animas County," herewith transmitted. The Concurrence of the House is requested;

Respectfully
Geo. F. Clark
Secy of the Senate.

The Special Committee having in charge bills relating to the government and support of the Penitentiary, presented the following report;

To the Speaker of the House

The Joint Committee to which was referred several bills pertaining to the Penitentiary, respectfully report that they have examined and herewith return to the respective bodies the following, to wit,

S.B. No. 50. with the recommendation that it do lie on the table,

S.B. No. 153 with the recommendation that it be placed on file for finish and second reading;

H.B. No. 255. with the recommendation that it ~~be~~ do lie on the table;

on the part of the Senate { James Moynahan, James Chilland

On the part of the House, { C.W. Kittredge, Rod Irwin

The Committee on Engrossment presented the following reports:

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 257, A Bill for an act to legalize the proceedings of Probate Courts of certain Counties heretofore holding divorce cases

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 274, A Bill for an act in relation to preserving evidence of deaths and heirship

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 178. A Bill for an Act to repeal an Act Entitled an act concerning fences and enclosures in Conejos County, and in other Counties under certain circumstances, Approved July 14, 1874

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 205 A Bill for an Act for the purpose of paying the expenses of the State Penitentiary

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR SPEAKER:

Your Committee on Engrossment have examined H.B. No. 71, A Bill for an Act making an appropriation for Insane Paupers

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR SPEAKER:

Your Committee on Engrossment have examined H.B. No 104, A Bill for an Act entitled an act to regulate the practice of medicine

and find the same correctly engrossed. as amended.

N. C. Alford, Chairman.

Senate amendments to
H.B. No. 94. A Bill for an act exempting firemen as pius as and from paying a poll tax in the state of Colorado, and to repeal certain acts relating thereto,
Were taken up.
Mr Lar agoite moved that the House concur,

~~The question being upon the passage of the bill,~~

The "yeas" and "nays" were had,

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON~~, CHAVES, ~~CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, ~~MAYER~~, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE~~, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, ~~RAND~~, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~. 21

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, ~~CHAVES, CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER~~, MAYER, ~~MARSHMAN, McBROOM, McDERMITT~~, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM~~, SCHINNER, ~~SEIBER~~, SIMMONS, ~~SMITH, STOKES~~, SURLES, VIJIL, ~~WATTS, WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. 20

Gentlemen absent and not voting were:

Alberts, Carlile, Helm, Lake, Moss, Phelps, Smith, Wilkins 8

A constitutional majority not having voted in favor of ~~the passage of the bill~~ concurring in the amendments,

The ~~bill passed~~. amendments were not concurred in.

~~And the title was agreed to.~~

Senate amendments to
H.B. No. 151, A Bill for an act relating to the Supreme Court Library,

were taken up,

Mr Ransom moved that the House concur;

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA~~, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, LARAGOITE, LEONARD, LORD, ~~LUTHER~~, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, ~~SURLES~~, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 35.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES~~, SURLES, ~~VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~ — 2.

Gentlemen absent and not voting were:

Alberts, Alford, Archuleta, Helm, Lake, Luther, Marshman, Morehouse, Moss, Phelps, Smith, Wilkins, — 12

A constitutional majority having voted in favor of ~~the passage of the bill,~~ concurring in the amendment,

The ~~bill passed~~. amendments were concurred in,

Mr Adams moved that the resignation of Mr Parmeter, Clerk of the Judiciary committee, be now accepted,

Mr McDutyre moved that the consideration of the motion to accept the resignation, be postponed and made a Special Order for 2:15 P.M. today,

Which motion prevailed.

S.B. No. 135, a bill for an

act to the relief of Sacramento County.

Was read a first time,

The Committee on Engrossment presented the following report;

MR SPEAKER:

Your Committee on Engrossment have examined H.B. No. 207 A Bill for an act to legalize certain proceedings of the County Commissioners of San Joaquin County.

and find the same correctly engrossed.

N. C. Alford, Chairman.

The Joint Committee on Enrollment presented the following report;

MR. SPEAKER;

The Joint Committee on enrollment have examined S.B. No. 19, An act to provide for the payment of the claim of William Whist for translating the Constitution of the State into the German language.

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The report of the Special joint Committee on Penitentiary bills, relative to H.B. No. 255,

was taken up.

Mr Kittredge moved that the report of the committee be agreed to,

Which motion prevailed.

At 9.55 a.m. the Speaker in the presence of the House, signed,

S.B. No. 19, a bill for an act to provide for the payment of the claim of William Whistt for translating the Constitution of the State into the German language,

S.B. No. 49, a Bill for an act to provide for the construction of buildings used for public Assemblages,

Was read a third time,

Mr Langford moved to amend Sec 2. by striking out the words "public school or church or other like buildings for public assemblages,"

Which motion was lost.

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA~~, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, ~~GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD, LARAGOITE, LEONARD~~, LORD, LUTHER, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM~~, SCHINNER, ~~SEIBER~~, SIMMONS, ~~SMITH, STOKES, SURLES~~, VIJIL, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. — 22.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS~~, ALFORD, ~~ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN~~, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, LARAGOITE, LEONARD, ~~LORD, LUTHER, MAYER~~, MARSHMAN, ~~McBROOM, McDERMITT, McINTIRE~~, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, ~~VIJIL, WATTS, WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~. — 21.

Gentlemen absent and not voting were:

Alberts, Archuleta, Green, Stokes, Moss, Phelps — 6

A constitutional majority not having voted in favor of the passage of the bill,

The bill ~~passed~~ failed to pass;

~~And the title was agreed to~~.

Mr Marshman moved that the vote by which the bill failed to pass, be reconsidered,

Mr Watts moved that the motion to reconsider be laid on the table,

Which motion was lost,

The question recurring upon the motion to reconsider,

The motion prevailed,

Mr Marshman moved that the further consideration of S.B. No. 49,

be made a Special Order for Tuesday next, February 20, 1877, at two o'clock in the afternoon,

Which motion was lost,

Mr Morehouse moved to amend Sec. 2 of the bill so that it should not apply to public schools and churches already constructed,

Which motion prevailed,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, LAKE, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, L~~UTHER, MAYE~~R, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN, PHELPS~~, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS~~, SMITH, ~~STOKES~~, SURLES, VIJIL, ~~WATTS, WILKINS,~~ WILSON, A. D., WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~. — 30.

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD~~, LUTHER, MAYER, ~~MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS, PIERCE~~, RAINEY, ~~RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, ~~SURLES, VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. — 14,

Gentlemen absent and not voting were:

Alberts, Helm, Laragoite, Moss, Phelps — 5,

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

Mr Ransom moved to amend the title by striking out the words "to provide for" and inserting in lieu thereof the words "relating to,"

Which motion prevailed.

And as thus amended,
The title was agreed to,
The hour having arrived for which

S.B. No. 26, a Bill for an act to provide for the formation of Corporations,

Was made a Special Order, to-wit

Ten o'clock in the forenoon,

Mr Kittredge moved that the House do now go into committee of the whole for the consideration of the Special Order,

Which motion prevailed,
And the House resolved itself into committee of the whole,
With Mr A.D. Wilson in the chair,

After some time spent therein the Committee arose and through its chairman presented the following report;

Mr Speaker:- The Committee of the whole House have had under consideration

S.B. No. 26, a bill for an act to provide for the formation of Corporations,

And instruct me to report progress and ask leave to sit again,

A.D. Wilson
Chairman

Mr Pierce moved that the House do now take a recess until two o'clock this afternoon,

Which motion prevailed.

And at 1 P. M., the House took a recess.

At two o'clock in the afternoon the Speaker called the House to order.

Mr Chavez was granted leave of absence for the afternoon,

The following communication was received from His Excellency, the Governor; and referred to the Committee on State Institutions:—

State of Colorado
Executive Dept.
Denver Feby 15, 1877.

Hon W. D. Anthony
Speaker of House of Representatives
Sir:

I have the honor to transmit herewith the report of the State Board of Health,

Much time and labor have been bestowed upon its compilation, which is especially commendable, as the members of the Board receive no compensation for their services.

This admirable report will

proof of great value to the medical profession of other States, and to those seeking a change of climate,

Having already expressed my views in reference to the great utility of the Board, I would, therefore, request a careful perusal of this first report and recommend that your honorable body so legislate as to provide proper support for the Board and make it a permanent institution of the State.

Very respectfully
John L. Routt,
Governor.

S.B. No. 73. A Bill for an act to ~~provide~~ prevent the firing of Woods and Prairies,

Was read a third time,

Mr A.D. Wilson moved that its further consideration be postponed and made a Special Order for Saturday next at 10 a.m.,

Which motion was lost,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD~~, ARCHULETA, CANFIELD, ~~CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL, GOTTHELF~~, GREEN, ~~GRIFFIN, HELM, IRWIN~~, KITTREDGE, ~~KRUSE~~, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, ~~McINTIRE, McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS, PIERCE~~, ~~RAINEY, RAND, RANSOM, SCHINNER~~, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, ~~VIGIL~~, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. — 19

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS~~, ALFORD, ~~ARCHULETA, CANFIELD~~, CHACON, ~~CHAVES, CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN~~, GRIFFIN, ~~HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, ~~MAYER, MARSHMAN~~, McBROOM, ~~McDERMITT, McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, ~~SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIGIL, WATTS~~, WILKINS, WILSON, A. D., ~~WILSON, GEO. W.~~, YOUNG, ~~MR. SPEAKER~~. — 18

Gentlemen absent and not voting were:

Alberts, Chavez, Gotthelf, Helm, Kruse, Laragoite, McDermitt, Moss, Phelps, Pierce, Smith, Vigil — 12

A constitutional majority having voted in favor of the passage of the bill,

The bill ~~passed~~ failed to pass.

The hour having arrived for the consideration of the Special Order,

Being the motion to accept the resignation of Mr Parmelee, the Clerk of the Judiciary Committee,

The motion prevailed.

Mr Kittredge moved that the House do now go into Committee of the whole for the further consideration of S.B. No. 26.

Which motion prevailed.

And the House resolved

itself into Committee of the whole,

With Mr A. D. Wilson in the chair,

After some time spent therein the Committee arose and through its Chairman presented the following report,

Mr Speaker; The Committee of the whole House have had under further consideration

S.B. No. No. 26. A Bill for an act to provide for the formation of Corporations,

And instruct me to report progress and ask leave to sit again at 7 o'clock this evening.

A. D. Wilson
Chairman

The joint Committee on Enrollment presented the following report;

MR. SPEAKER:

The Joint Committee on Enrollment presented H.B. No 118 An Act to amend the existing laws of forcible entry and detainer in respect to service of notice, demand and process also S.B. No 19 An Act to provide for the payment of the claim of William Whist for translating the Constitution of the State into the German language to his Excellency, the Governor, for his approval, at 4 20 o'clock, P. m., July 15, A.D. 1877

Geo. W. Wilson,
Chairman on the part of the House of the Joint Com. on Enroll.

The following messages were received from the Senate:

State of Colorado
Senate Chamber
Denver Feby 15. 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has passed
H.B. No. 63. "Repealing Section 7 of Chapter 35 of the Revised Statutes" and
recded from its amendment to
H.B. No. 94. "Exempting Firemen as Jurors and from paying a Poll Tax" and
concurred in House amendment to Title of S.B. No. 49. "Relating to Buildings used for public Assemblages" &c
refuses to concur in House amendment to Sec 1 of said Bill,
House Bills No. 63 and 94 &c
S.B. No. 49 are herewith transmitted

Respectfully
Geo F Clark
Secy of the Senate

State of Colorado
Senate Chamber
Denver Feby 15. 1877

To the Honorable

The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has concurred in all of the amendments except the fourth proposed by the House to S.B. No. 44. "Concerning powers and duties of the offices of the Executive Department" and has passed by 2/3 vote H.B. No. 182. "Repealing Section 1 of an act to incorporate the city of Black Hawk". S.B. No. 44 and H.B. No. 182 are herewith transmitted.

Respectfully
Geo T. Clark
Secretary of the Senate.

Mr Canfield, at 5:05 P.M. moved that the House do now adjourn,

Which motion prevailed.

And the House adjourned to 9:45 A.M. tomorrow, Friday, Feby. 16, 1877

Journal

of the

General Assembly

of the

State of Colorado

First Session

Eighty-First Day

Eighty First Day

Friday Feby 16. 1877

House met at 9:15

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, [redacted], ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, [redacted], KITTREDGE, KRUSE, [redacted], LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, [redacted], PATTEN, [redacted], PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. —43,

Being a quorum of the House.

Absent Messrs

Albertsi,

Stetler, Irwin, Lake, Moss, Phelps — 6

Messrs Phelps and Watts were excused from attendance upon todays session of the House

Journal of the previous days session was read and approved.

The Committee on Engrossment presented the following reports:

MR. SPEAKER:

Your Committee on Engrossment have examined S.B. No. 61, A Bill for an act to repeal Sec. 2 of Chapter 53 of the Revised Statutes of Colorado relating to licenses required to be paid by peddlers and other persons, and to insert other provisions in lieu thereof

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined S.B. No. 259, A Bill for an act concerning the more definite location of County lines

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined S.B. No. 32 A Bill for an act to repeal Sec. 1 of an act to provide for the further execution of the trust relating to the town-site of the Town of Idaho Springs and to regulate the same and provide for a substitute therefor

and find the same correctly engrossed.

N. C. Alford, Chairman.

The Committee on Corporations presented the following report:

MR. SPEAKER:

Your Committee on Corporations to whom was referred S.B. No. 212 An Act in relation to Municipal Corporations

made substantial amendments thereto have had the same under consideration, and report it back with the recommendation that it be printed as amended and passed

J. C. Helm Chairman.
Dr. R. E. Morhouse
in behalf of Committee

The Special Committee having in charge H.B. No. 195, presented the following report:

MR. SPEAKER:

Your ~~Committee on~~ Special Committee to whom was referred H.B. No. 195, A Bill for an Act to provide against the Evils resulting from the sale of intoxicating liquors in the state of Colorado, have had the same under consideration, and report it back ~~with the~~ without recommendation ~~that it be~~ and ask to be discharged.

Isaac Canfield Chairman.

S.B. No. 49. A Bill for an Act relating to the construction of buildings used for public assemblages was taken up for further consideration.

The Senate having refused to concur in House amendments to Sec. 2 of the bill,

Mr Ransom moved that the House insist on its amendments.

Mr A.D. Wilson moved as an amendment that the House recede

from the amendments,

Which motion prevailed.

H.B. No. 135, "A Bill for an act for the relief of Las Animas County,"

Was read a second time, when

Mr Laragoite moved that it be made a Special Order for two o'clock this afternoon, for consideration in Committee of the whole House,

Which motion prevailed.

The Committee on Enrollment presented the following report,

MR. SPEAKER:

Your Committee on Enrollment have examined H.B. No. 151, A Bill for an act relating to the Supreme Court Library,

and find the same correctly enrolled.

A. A. Smith, Chairman.

The Day Calendar was taken up and disposed of as follows;

Report of the Committee on Corporations, relative to H.B. No. 212, recommending amendments thereto, and that it be printed as amended,

Mr McDuffye moved that the report of the Committee be agreed to,

Which motion prevailed.

Report of the Special Committee, relative to H.B. No. 195.

The bill was placed on General Orders for consideration in Committee of the whole House,

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Feby 16. 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has concurred in amendments proposed by the House to S.B. No. 54. "Providing for Public Printing and Publishing of the Laws" Also

Has concurred in 4th amendment to S.B. No 44. Relating to powers and duties of the Officers of the Executive Department,

Respectfully, Geo. F. Clark
Secy of the Senate

S. P. No. 61, A Bill for an act concerning Counties, County Officers and County Government, and repealing all laws on that subject:

Was read a third time.

Mr Ransom moved that Sec. 40 be amended by striking out the word "annual" in relation to meetings of the County Commissioners,

Which motion prevailed.

Mr Ransom moved that Sec. 106, be amended by striking out the word "annual" in relation to meetings of the County Commissioners

Which motion prevailed.

Mr Ransom moved to amend Sec. 104 by inserting "or" after the word "clerk" in first line of the printed bill, and striking out the words "County Treasurer" and inserting in lieu thereof the words "of any such officers".

Mr Kruse demanded a division of the question,

The vote being first taken upon the motion to strike out,

The motion prevailed,

The vote then being taken upon the motion to insert,

The motion did not prevail

~~The vote then being taken upon the motion~~

Mr Simmons moved that Sec. 110 be amended by striking out the

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN, PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. —— 43.

~~Gentlemen voting~~ and none in the negative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.

Gentlemen absent and not voting were:

Alberts, Helm, Laragoite, Moss, Patten, Phelps 6

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

Mr Ransom moved to amend the title by striking out the word "all"

Which motion prevailed.

And as thus amended, the title was agreed to,

S.B. No. 118. A bill for an act to preserve the Public Health,

Was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM~~, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. —— 38.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, ~~RAND~~, RANSOM, ~~SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~: —— 16.

Gentlemen absent and not voting were:

Alberts, Gotthelf, Helm, Lara
Langford, Morehouse, Moss, Phelps

7

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

H.B. No. 71. A Bill for an act making an appropriation for Insane Paupers.

Was read a third time.

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES~~, CARLILE, ESQUIBEL, GOTTHELF, ~~GREEN~~, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. 37.

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, ~~CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY~~, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER.~~ 5

Gentlemen absent and not voting were:

Alberts, Chaves, Green, Helm, Morehouse, Moss, Phelps

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

And the House ordered that the bill take effect immediately upon its final passage as provided in the emergency clause therein contained,

Pending the call of the roll,

Mr McIntyre moved that Messrs Chacon and Geo. W. Wilson be excused from voting,

Which motion was lost.

Mr Laraquite moved that the House do now take a recess until two o'clock this afternoon,

Which motion prevailed;

And at 12:13 P.M. the House took a recess,

The Speaker called the House to order at two o'clock P.M.

Mr Wilkins moved that Mr Young be leave of absence for the afternoon,

Which motion prevailed.

Mr Laraquite moved that Mr Luther be granted leave of absence for the afternoon,

Which motion prevailed,

Mr Patten moved that Mr McBroom be granted leave of absence for the afternoon,

Which motion prevailed.

The joint Committee on Enrollment presented the following report;

MR. SPEAKER;

The Joint Committee on enrollment have examined H.B. No. 151, An Act relating to the Supreme Court Library

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 2.05 P.M. the Speaker, in the presence of the House, signed H.B. No. 151, a Bill for an act relating to the Supreme Court Library.

The hour having arrived for the consideration of the special Order, being

S.B. No. 135, a Bill for an act for the relief of Las Animas County.

The House resolved itself into Committee of the whole, With Mr. McIntyre in the chair.

After some time spent therein the Committee arose and through its chairman presented the following report;

Mr Speaker:- The Committee of the whole House have had under consideration

~~H.B.~~

H.B. No. 135. A bill for an act for the relief of Las Animas County,

And instruct me to report the same back to the House and recommend its passage,

C.H. McIntyre
Chairman,

Mr McDermitt moved that Mr Lord be granted leave of absence for the afternoon,

Which motion prevailed.

~~H.B.~~ No. 207. A Bill for an act to legalize certain proceedings of the County Commissioners of San Juan County,

Was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, ~~LANGFORD~~, LARAGOITE, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, ~~RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~. 40,

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND~~, RANSOM, ~~SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. 3.

Gentlemen absent and not voting were:

Alberts, Helm, Lord, Moss, Phelps, Simmons 6

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

And the House ordered that the bill take effect immediately upon its final passage as provided in the emergency clause therein contained.

The Committee on Enrollment presented the following report:

MR. SPEAKER:

Your Committee on Enrollment have examined H.B. No. 187. An act to repeal Section one of an act amending an act entitled an act to Incorporate the city of Black Hawk, approved July 10th AD 1865, relating to the appointment of a Board of School Directors for said City and to enact other provisions in lieu thereof

and find the same correctly enrolled.

A. A. Smith, Chairman.

MR. SPEAKER:

Your Committee on Enrollment have examined H.B. No. 8. An act to provide for the payment of the salaries to officers of the Executive and Judicial Departments of the State of Colorado.

and find the same correctly enrolled.

A. A. Smith, Chairman.

MR. SPEAKER:

Your Committee on Enrollment have examined H.B. No. 63. An Act to repeal Sec. 7 of Chapter 85 of the Revised Statutes of the Territory of Colorado relating to changing the terms of a lease or agreement by a landlord in certain cases and enact other provisions in lieu thereof

and find the same correctly enrolled.

A. A. Smith, Chairman.

H.B. No. 707. A Bill for an act to legalize the proceedings of Probate Courts of certain Counties heretofore had in divorce cases,

Was read a third time

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, ~~RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS, SMITH~~, STOKES, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~. 37

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, ~~GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND~~, RANSOM, ~~SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS~~, WILSON, A. D, ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~ Mr Speaker 4

Gentlemen absent and not voting were:

Alberts, Canfield, Helm, Lord, Moss, Phelps, Simmons, Smith 8

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

H.B. No. 37, a bill for an act to repeal Sec 7, of an act to provide for the further execution of the trust relating to the townsite of of the town of Idaho Springs, and to regulate the same, and provide for a substitute therefor;

Was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS, SMITH~~, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 40.

and none

~~Gentlemen voting~~ in the negative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.

Gentlemen absent and not voting were:

Adams, Alberts, Canfield, Helm, Lord, Moss, Phelps, Simmons, Smith 9

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

H.B. No. 61. A Bill for an act to repeal Sec 1 of Chapter 53. of the revised statutes of Colorado relating to licenses required to be paid by peddlers and other persons, and to enact other provisions in lieu thereof, was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, ~~GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, LAKE, LANGFORD, ~~LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS, SMITH, STOKES, SURLES~~, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W.~~, YOUNG, ~~MR. SPEAKER~~. 25.

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF~~, GREEN, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD~~, LUTHER, ~~MAYER, MARSHMAN~~, McBROOM, ~~McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, ~~SMITH~~, STOKES, SURLES, ~~VIJIL, WATTS~~, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. 16.

Gentlemen absent and not voting were:

Alberts, Canfield, Helm, Laragoite, Lord, Moss, Phelps, Smith 8

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

H.B. No. 178. a bill for an act entitled an act concerning fences in Conejos County, and in other counties under certain circumstances, approved Feby 12. 1874. Was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had,

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, ~~RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS, SMITH, STOKES~~, SURLES, VIJIL, ~~WATTS, WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 36.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE,~~ LANGFORD, ~~LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER~~, SIMMONS, ~~SMITH~~, STOKES, ~~SURLES, VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~ — 4.

Gentlemen absent and not voting were:

Alberts, Helm, Laragoite, Lord, Moss, Phelps, Ransom, Smith, Wilkins — 9.

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

H.B. No. 774. a Bill for an act relating to preserving evidence of deaths and heirship was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD~~, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN, KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, ~~McINTIRE~~, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS~~, SMITH, ~~STOKES~~, SURLES, VIJIL, ~~WATTS~~, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 21.

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD~~, LUTHER, ~~MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, ~~SURLES, VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 18.

Gentlemen absent and not voting were:

Alberts, Alford, Helm, Laragoite, Lord, Marshman, McIntyre, Moss, Phelps, Pierce — 10

A constitutional majority not having voted in favor of the passage of the bill,

The bill ~~passed~~ failed to pass,

~~And the title was agreed to.~~

H.B. No. 259. a bill for an act concerning the more definite location of County lines.

Was read a third time,

Mr Rand moved to amend Sec. 1 by striking out the words "from which arbitration there shall be no appeal, and the decision shall be final"

Which motion was lost,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, ~~LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS, PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 40.

Gentlemen voting in the negative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.

Gentlemen absent and not voting were:

Alberts, Helm, Laragoite, Lord, McBroom, Moss, Phelps, Pierce, Vijil 9

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

H.B. No. 205, was taken up for a third reading, when Mr Kittredge moved that it be recommitted to the Committee on Finance, Ways and Means with instructions to report as to the unexpired balance of Penitentiary funds on hand, Etc, which motion prevailed.

H.B. No. 104, a bill for an act to regulate the practice of medicine, was read a third time,

Mr Durlin moved to amend sec 4, as follows;

Strike out "July in" and insert "at mineral city on the first Tuesday of July in":

Mr Irwin moved to amend the amendment by striking out "Mineral City" and inserting "Pueblo" in lieu thereof,

Which motion was lost,

The question recurring upon the motion to strike out "July in" and insert as above mentioned,

The motion did not prevail,

Mr Wilkins moved that further consideration of the bill be indefinitely postponed,

Which motion was lost,

Mr Durlin moved to amend the bill by adding to the last section the following words;

Provided that the provisions of this act shall not apply to any practicing Physician ~~pre~~ practicing in this State prior to the passage of this act,

Mr Irwin moved as a substitute for the motion pending that Sec. 3 be amended by inserting after the word "applicant" the following words; "or satisfactory proof that the applicant has practised medicine as a profession in this state for

the space of ten years previous to the passage of the act,"

Which motion prevailed,

Mr Vijil moved to amend the bill so that it should in no case apply to the practice of mid-wifery

Which motion prevailed.

Mr Irwin moved that further consideration of the bill be postponed and made a Special Order for 10:30 A.M. tomorrow,

Which motion did not prevail,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS,~~ ALFORD, ~~ARCHULETA, CANFIELD, CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL, GOTTHELF~~, GREEN, ~~GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, LAKE, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, ~~MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM~~, SCHINNER, ~~SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS~~, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG,~~ MR. SPEAKER. — 14.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD~~, ARCHULETA, CANFIELD, ~~CHACON~~, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, ~~GREEN~~, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD~~, LUTHER, ~~MAYER~~, MARSHMAN, ~~McBROOM~~, ~~McDERMITT~~, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS, PIERCE~~, RAINEY, RAND, RANSOM, ~~SCHINNER, SEIBER~~, SIMMONS, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, ~~MR. SPEAKER.~~ — 23.

Gentlemen absent and not voting were:

Adams, Alberts, Chacon, Helm, Laragoite, Lord, McBroom, Moss, Phelps, Pierce, Seiber, Vijil — 12.

A constitutional majority not having voted in favor of the passage of the bill,

The bill ~~passed~~. failed to pass.

Mr Stokes moved that the vote by which H.B. No. 224,

failed to pass, be reconsidered

And that the motion to reconsider be laid on the table,

Which motion to lay on the table was lost,

The question recurring upon the motion to reconsider,

The motion prevailed.

Mr Young moved that the vote by which H.B. No. 104 failed to pass, be reconsidered,

And that the motion to reconsider be laid on the table,

Which motion to lay on the table did not prevail,

The question recurring upon the motion to reconsider,

The motion was lost,

Mr McLutyre moved that Mr Leonard be excused from attendance upon the remainder of this afternoons session of the House,

Which motion prevailed,

Mr Ransom moved that the House do now go into Committee of the whole for the consideration of S.B. No. 26, and other bills on General Order,

Which motion prevailed, and the House resolved itself in Committee of the whole With Mr A.D. Wilson in

the chair,

After some time spent therein the Committee arose and through its Chairman presented the following report,

Mr Speaker,— The Committee of the whole House have had under further consideration

S.B. No. 26. A Bill for an act to provide for the formation of Corporations

Have made numerous amendments thereto, and instruct me to report the same back to the House with the recommendation that the 6th subdivision of Sec. 111 be referred to the Committee on Corporations; also, that Sec. 175, together with an amendment proposed by Mr McIntyre, be referred to the same Committee, and that the said proposed amendment be ordered printed; also, that Sections 51 and 55 be referred to the same Committee; also that the House agree to the several amendments proposed by the committee of the whole,

A.D. Wilson
Chairman

Mr Canfield moved that the report of the Committee of the whole be agreed to

Which motion prevailed,

The Joint Committee on Enrollment presented the following reports:

MR. SPEAKER;

The Joint Committee on enrollment have examined H.B. No. 8. An Act to provide for the payment of Salaries to Officers of the Executive and Judicial Departments of the State of Colorado. H.B. No. 63 An Act to repeal Sec. 7 of Chap. 35. of the Revised Statutes of the Territory of Colorado and to enact other provisions in lieu thereof

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

MR. SPEAKER;

The Joint Committee on enrollment have examined H.B. No. 187 An Act to repeal Sec. one of an act amending an act entitled an act to incorporate the city of Black Hawk approved July 10. A.D. 1865. relating to the appointment of a Board of School Directors for said city and to enact other provisions in lieu thereof

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 5:55 P.M. the Speaker, in the presence of the House, signed

H.B. No. 8. A Bill for an act to provide for the payment of Salaries to officers of the Executive and Judicial departments of the State of Colorado,

Also

H.B. No. 63. A Bill for an act to repeal Sec. 7 of Chap 35 of the revised statutes of the Territory of Colorado and to enact other provisions in lieu thereof

Also

H.B. No. 182. A Bill for an act to repeal Sec. 1 of an act amending an act entitled an act to incorporate the City of Black Hawk, etc,

At 5:40 P.M.

Mr McFelipe moved that the House do now adjourn

which motion prevailed.

And the House adjourned to 9:15 A.M. tomorrow, Saturday, Feby. 17, 1877

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Eighty-Second Day

Eighty Second Day

Saturday Feby 17. 1877.

House met at 9:15

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, LARAGOITE, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. — 40.

Being a quorum of the House.

Absent Messrs, Alberts, Helm, Lake, Luther, Moss, Phelps, Simmons, Wilkins, Young — 9

Journal of the previous days session was read and approved.

The following communication was received from His Excellency the Governor;

State of Colorado
Executive Department
Denver Feby 16, 1877

Hon W. D. Anthony
Speaker of House of Representatives,
Sir:

I have the honor to ~~inf~~ inform you, that I have this day signed H.B. No. 225 entitled "An act to amend the existing laws of forcible entry and

Territories in respect to service of notice, demand and process," and have filed the same with the Secretary of State,

Very respectfully
John L. Routt,
Governor.

Mr A. D. Wilson moved that the rules be suspended in order to permit a motion to reconsider the vote by which S.B. No. 73. was lost on the 15th instant,

Which motion did not prevail;

By unanimous consent

The Committee on Printing presented the following report;

Mr Speaker!

Your Committee on Printing report H.B. No. 238. correctly printed

J. Durlin,
Chairman,

H.B. No 238. A bill for an act to provide for the sale of lots and parcels of land in Central City, & to repeal Sections 2 and 3 of an act for the relief of the inhabitants of the city of Central, approved Feby 1. 1876.

Was read a second time,

And placed on General Orders to be considered in committee of the whole House,

S.B. No. 135, A Bill for an for the relief of Las Animas County, Was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN, HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, ~~LANGFORD~~, LARAGOITE, ~~LEONARD~~, LORD, ~~LUTHER, MAYER~~, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. — 31,

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE,~~ LANGFORD, ~~LARAGOITE, LEONARD, LORD, LUTHER~~, MAYER, ~~MARSHMAN, McBROOM, McDERMITT, McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, ~~RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 5,

Gentlemen absent and not voting were:

Alberts, Griffin, Helm, Lake, Leonard, Luther, Morehouse, Moss, Phelps, Schinner, Simmons, Wilkins, Young — 13,

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

But having failed to receive a two-thirds majority the House did not order that the ~~bill~~ emergency clause take effect,

Mr Price was granted leave of absence for the forenoon,

Mr Laragoite moved that the vote by which S.B. No. 135, passed, be reconsidered,

Which motion prevailed,

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver July 17. 1877.

To the Honorable
The House of Representatives
of the State of Colorado.

I am instructed to inform your Honorable body that the Senate has passed S.J.R. No. 14. "Relation to Sections 16 and 36 of the Public Lands" which is herewith transmitted.

Respectfully
Thos D. Clark
Secy of the Senate.

Mr Kittredge moved that the House do now go into committee of the whole for the consideration of bills on General Orders,

Which motion prevailed,

And the House resolved itself into committee of the whole,

With Mr Campbell in the Chair,

After some time spent therein the committee arose and through its chairman presented the following report;

Mr Speaker:- The committee of the whole House have had under

Consideration,

H. B. No. 36. A Bill for an act to prohibit the herding of sheep in the neighborhood of Cities and Towns,

And instruct me to report the same back with amendments, and recommend that the amendments be agreed to; also

S.B. No. 32. A Bill for an act to establish a State Board of Agriculture and to define their duties,

And instruct me to report the same back with amendments, and recommend that the amendments be agreed to; also

S.B. No. 28. A Bill for an act ~~an~~ regulating elections, and repealing all Territorial acts on the subject,

And instruct me to report progress and ask leave to sit again.

Isaac Canfield
Chairman.

Mr Ransom moved that the report of the Committee of the whole be agreed to

Which motion prevailed.

Messrs Griffin and McMurray were granted leave of absence for the afternoon,

At 12,03 P.M.

Mr Green moved that the

Upon which motion a division was called, which motion was lost.

The Joint Committee on Enrollment presented the following report:

MR. SPEAKER:

The Joint Committee on Enrollment presented H.B. No. 8, H.B. No. 63, H.B. No. 151, and H.B. No. 182

to his Excellency, the Governor, for his approval, at 10 o'clock, A.M. Feby 17, A.D. 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The Committee on Enrollment presented the following report:

MR. SPEAKER:

Your Committee on Enrollment have examined H.B. No. 94, A Bill for an Act relating to the exemption of volunteer firemen as jurors and from paying Poll tax in the State of Colorado, and to repeal certain acts in relation thereto

and find the same correctly enrolled.

A. A. Smith, Chairman.

Mr. Laragoite moved that H.B. No. 135 be read first upon its final passage; which motion prevailed, and

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS, ALFORD~~, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN, HELM~~, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY~~, RAND, RANSOM, ~~SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, SURLES, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. — 34.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN~~, GRIFFIN, ~~HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~ — 2.

Gentlemen absent and not voting were:

Alberts, Alford, Carlile, Helm, Lake, Luther, Moss, Phelps, Schinner, Simmons, Smith, Wilkins, Young — 13.

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

And the House ordered that the bill take effect immediately upon its final passage as provided in the emergency clause therein contained.

Messrs. ~~Langford~~, Ransom, Mayer and Langford explained their votes by saying that they voted

"yea" in order that the emergency clause might take effect,

Mr Gutchell moved that the House do now take a recess until two o'clock this afternoon,

Which motion prevailed,

And at 12:10 P.M. the House took a recess.

The Speaker called the House to order at two P.M.

The House resolved itself into Committee of the whole for the further consideration of S.B. No. 28. and

Mr Canfield resumed the chair.

After some time spent therein the committee arose and through its chairman presented the following report:

Mr Speaker:- The Committee of the whole House have had under further consideration

S.B. No 28, a Bill for an act regulating elections, and repealing all territorial acts upon the subject.

Have made numerous amendments thereto, and instruct me to report the same back to the House with the recommendation

that the amendments be agreed to, and the bill referred to the Committee on Elections and Apportionments,

James Canfield
Chairman.

Mr Alford moved that the report of the Committee of the whole be agreed to,

Which motion prevailed.

By consent

The Committee on Printing presented the following report;

Mr Speaker:

The Committee on Printing report House Bills No. 245 and 246 correctly printed

J Hulse
Chairman.

At 3:58 PM.

Mr Addison moved that the House do now adjourn

And upon the motion to adjourn,

Mr Canfield demanded the "yeas" and "Nays"

Which were had with the following ~~report~~ result:

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD, LARAGOITE~~, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS~~, SMITH, ~~STOKES, SURLES, VIJIL, WATTS, WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W., YOUNG~~, MR. SPEAKER. — 14

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, LARAGOITE, ~~LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT~~, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, VIJIL, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. — 18

Gentlemen absent and not voting were:

Adams, Alberts, Carlile, Gotthelf, Green, Griffin, Helm, Irwin, Lake, Luther, McMurray, Morehouse, Moss, Phelps, Pierce, Wilkins, Young — 17.

And so the motion to adjourn did not prevail,

Mr Green was excused from attendance upon the remainder of the afternoons session of the House,

Mr Ransom moved that leave of absence for the afternoon be granted to all the members who are not now present,

At 4:03 P.M.

Mr Rand moved that the House do now adjourn,

And upon the motion to adjourn,

Mr Langford demanded the "Yeas" and "Nays"

Which were had with the following result;

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD, LARAGOITE~~, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS, PIERCE, RAINEY~~, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS~~, SMITH, ~~STOKES, SURLES, VIJIL, WATTS, WILKINS~~, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. 18.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE, LANGFORD~~, LARAGOITE, ~~LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS~~, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. 43

Gentlemen absent and not voting were:

Adams, Alberts, Carlile, Gotthelf, Green, Griffin, Helm, Irwin, Lake, Luther, McMurray, Morehouse, Moss, Phelps, Wilkins, Young. 16.

And so the motion prevailed.

And the House adjourned to 9:15 A.M. Monday next, February 19, 1877.

House Journal
of the
General Assembly
of the
State of Colorado.

First Session

Eighty-Third Day

Eighty-Third Day

Monday Feby 19. 1877

House met at
Speaker in the chair.
Prayer by the chaplain.
The roll was called,
And the following gentlemen were present and answered to their names:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE~~, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — ~~43~~ 44

Being a quorum of the House.

Absent Messrs Alberts, Helm, Lake, Laragoite, ~~McIntire~~, Moss — 5 ~~6~~.

Mr Marshman moved that Mr Lake be granted leave of absence for one week,

Which motion prevailed.

Mr Wilkins moved that Mr Laragoite be granted a leave of absence of ~~eight~~ days,

Which motion prevailed.

Mr Kittredge moved that Mr Helm be granted leave of absence until Thursday next at ten o'clock in the morning,

Which motion prevailed,

Journal of the previous days session was read and approved,

Mr Alford moved that S.B. No 36. be taken up and referred to a Special Committee of three,

which motion prevailed,

And the Speaker appointed as said Special Committee,

Messrs Alford, Langford and Carlile.

Mr Stokes introduced the following resolution and moved its adoption:

Resolved, That the thanks of this House are due and the same is hereby tendered to the quartermaster Managers and Proprietors of the Union Pacific railroad, and the Hon W. H. Piercy, for the pleasant excursion to Cheyenne on the 18th of Feby, offered to, and accepted by numerous and friends—

Resolved that this resolution be unanimously adopted and spread upon the Journal of this House,

The motion to adopt the resolution prevailed,

S.J.R. No 14, relating to Sections 16 and 36 of the Public Lands,

Was read a first time,

H.B. No. 245, a bill for an act to provide for the expense of completing and perfecting the records in the office of the Secretary of State,

Also

H.B. No. 276, a bill for an act for the relief of E.L. Brewster,

Was read a second time,

and ordered to be placed on General Orders for consideration in Committee of the whole House, when

Mr Phelps moved that H.B. No. 276. be indefinitely postponed,

And that the consideration of the motion to indefinitely postpone be made a Special Order for ten o'clock in the forenoon tomorrow,

Mr Addison moved as an amendment that H.B. No. 245 be included with H.B. No. 276,

Which motion was lost.

The question recurring upon the motion to make the motion to indefinitely postpone a Special Order.

The motion prevailed,

The Committee on Elections and Apportionments presented the following report:

MR. SPEAKER:

Your Committee on Elections & Apportionments *to whom was referred* H.B. No. 28. A Bill for an act regulating Elections, and repealing all Territorial Acts upon the subject

have had the same under consideration, and report it back with the recommendation that it be read the third time, and put upon its final passage

H. L. Kime *Chairman.*

Mr Kincaid moved that S.B. No. 28 be now taken up for a third reading

Which motion prevailed, and

"S.B. No. 28, A Bill for an act regulating Elections, and repealing all Territorial acts upon the subject,

Was read a third time,

Pending the third reading Mr Ransom moved to amend Sec 7. by changing "State Auditor" to "Auditor of State".

Which motion prevailed

Mr Langford moved to amend Sec 31. by inserting after the word "day" in line 8 of the printed bill, the following; "except in precincts not polling over 75 votes, in which precincts the polls shall be opened at 9 o'clock in the morning and closed at five o'clock in the afternoon;"

Upon this motion,

Mr Ransom demanded the "Yeas" and "Nays"

which were had with the following result;

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD,~~ CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN,~~ GRIFFIN, ~~HELM, IRWIN,~~ KITTREDGE, KRUSE, ~~LAKE,~~ LANGFORD, ~~LARAGOITE, LEONARD, LORD,~~ LUTHER, ~~MAYER,~~ MARSHMAN, McBROOM, ~~McDERMITT, McINTIRE,~~ McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE,~~ RAINEY, RAND, RANSOM, ~~SCHINNER,~~ SEIBER, ~~SIMMONS, SMITH, STOKES, SURLES,~~ ~~VIJIL, WATTS,~~ WILKINS, WILSON, A. D., ~~WILSON, GEO. W.,~~ YOUNG, ~~MR. SPEAKER.~~ 19.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS,~~ ALFORD, ARCHULETA, ~~CANFIELD, CHACON, CHAVES, CARLILE,~~ ~~ESQUIBEL,~~ GOTTHELF, GREEN, ~~GRIFFIN, HELM,~~ IRWIN, ~~KITTREDGE, KRUSE, LAKE,~~ ~~LANGFORD, LARAGOITE, LEONARD,~~ LORD, ~~LUTHER,~~ MAYER, ~~MARSHMAN, McBROOM,~~ McDERMITT, ~~McINTIRE, McMURRAY,~~ MOREHOUSE, ~~MOSS,~~ PATTEN, PHELPS, ~~PIERCE,~~ ~~RAINEY, RAND, RANSOM,~~ SCHINNER, ~~SEIBER,~~ SIMMONS, SMITH, STOKES, SURLES, ~~VIJIL,~~ WATTS, ~~WILKINS, WILSON, A. D.,~~ WILSON, GEO. W., ~~YOUNG,~~ MR. SPEAKER. 19.

Gentlemen absent and not voting were:

Adams, Alberts, Canfield, Helm, Lake, Laragoite, Leonard, McIntyre, Moss, Pierce, Vigil 11.

And as the motion did not prevail,

Mr Ransom ~~moved~~ moved to amend Sec. 92 by inserting after the word "labor" the words "in the State Penitentiary".

Which motion prevailed.

Mr Ransom moved to amend Sec. 109, by striking out the word "but" and inserting in lieu thereof the words "not exceeding" — relating to the number of days the board of registry should remain in session.

Mr Kruse moved as an amendment that "three" be stricken out and to inserted,

Mr Addison moved as an amendment to the amendment

that "One" be presented,

Which motion to amend the amendment did not prevail,

The question recurring upon the motion to amend,

The motion did not prevail,

The question recurring upon the motion to strike out and insert,

The motion was lost,

Mr Raud moved to amend Sec. 91 by striking out the words "three" before "hundred" and insert "one", and by inserting after ~~the word~~ "otherwise", the words "they shall sit but one day",

Which motion was lost

Mr Luther moved to amend Sec. 111 by striking out all of the section down to and including the word "day" in the fourth line of the printed bill.

Which motion was lost,

Mr Kruse moved to amend Sec 109 by striking out "otherwise but three days", and inserting in lieu thereof the following; "When the number of votes cast in such precinct shall have exceeded one hundred, the said board may continue in session for the purpose of making such registry three

days if necessary, otherwise but one day;

Which motion prevailed,

Mr Pierce moved to amend Sec. 13, line 3 of the printed bill, by inserting after "persons", the words "and representing at least two political parties"

Upon this motion

Mr Rand ~~moved~~ demanded the "Yeas" and "Nays"

which were had with the following result;

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON~~, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, ~~MAYER~~, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, RAINEY, RAND, ~~RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, ~~VIGIL, WATTS~~, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. —— 27.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, ~~CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN~~, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER~~, MAYER, ~~MARSHMAN~~, McBROOM, ~~McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND~~, RANSOM, ~~SCHINNER, SEIBER~~, SIMMONS, ~~SMITH, STOKES, SURLES, VIGIL~~, WATTS, ~~WILKINS, WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. —— 13.

Gentlemen absent and not voting were:

Alberts, Helm, Lake, Laragoite, Leonard, Moss, Phelps, Vigil, A. D. Wilson —— 9.

And so the motion prevailed;

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, ~~CHAVES, CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM,~~ IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, ~~LANGFORD, LARAGOITE, LEONARD~~, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, ~~McINTIRE, McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY, RAND~~, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W.; YOUNG, MR. SPEAKER. — 28

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD~~, LUTHER, ~~MAYER, MARSHMAN, McBROOM, McDERMITT~~, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, SURLES, ~~VIJIL, WATTS~~, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 12

Gentlemen absent and not voting were:

Alberts, Chavez, Helm, Lake, Laragoite, Leonard, Moss, Vijil, A D Wilson — 9

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

The Joint Committee on Enrollment presented the following reports:

MR. SPEAKER;

The Joint Committee on enrollment have examined H.B. No. 94 An Act relating to exemption of volunteer firemen as jurors, and from paying poll tax in the State of Colorado and to repeal certain acts relating thereto" also H.B. No. 49 An Act relating to the construction of buildings used for Public assemblages" and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

MR. SPEAKER;

The Joint Committee on enrollment have examined S.B. No. 54. An Act to provide for the public printing and publishing and distribution of the Laws and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 12, M, the Speaker, in the presence of the House, signed

H.B. 94. relating to the exemption of volunteer firemen as jurors, etc,

Also

S.B. No. 49. relating to the construction of buildings used for public assemblages,

Also

S.B. No. 54. relating to the public printing, and publishing and distribution of the Laws,

The following communication was received from His Excellency, the Governor;

State of Colorado
Executive Dept,
Denver Feby 19. 1877.

Hon W D Anthony
Speaker of House of Representatives
Sir;

I have the honor to inform you that I have this day signed House Bills No's 8, 63, 151, 182 and have filed the same with the Secretary of State

Very respectfully
John L Routt,
Governor

Mr Rand moved that the House do now take a recess until two o'clock this afternoon,

Which motion prevailed, and at 12:03 P.M. the House took a recess,

The House was called to order at two o'clock in the afternoon by the Speaker,

Mr Leonard was granted leave of absence for the afternoon,

Messrs Rand and Kruse demanded a call of the House.

The roll was called and Messrs Archibald, Gottlieb, Gunn, Irwin, Mayer, Meadway, Moss, Pierce, Watts and Young

were reported absent without leave,

And the Sergeant-at-Arms was directed to bring in the absentees,

Mr Smith moved that further proceedings under the call of the House be dispensed with,

Which motion was lost,

The Sergeant-at-Arms appeared at the bar of the House having in charge the body of Mr Pierce,

Mr Addison moved that

Mr Price be excused and released,

Which motion prevailed,

The Sergeant-at-Arms appeared at the bar of the House having in charge the body of Mr Young,

Mr Phelps moved that Mr Young be excused,

Which motion prevailed,

The Sergeant-at-Arms appeared at the bar of the House having in charge the body of Mr Marshman,

Mr Adams moved that Mr Marshman be excused,

Which motion prevailed,

The Sergeant-at-Arms ~~of~~ appeared at the bar of the House having in charge the body of Mr Irwin,

Mr McBroom moved that Mr Irwin be excused,

Which motion prevailed,

Mr Wilkins moved that further proceedings under the call of the House be dispensed with,

Which motion prevailed,

Mr Ransom moved that the House do now go into Committee of the whole for the consideration of bills on General Order,

Which motion prevailed,

And the House resolved itself into Committee of the whole; With Mr Morehouse in the chair.

After some time spent therein the Committee arose and through the Chairman presented the following reports;

Mr Speaker;- The Committee of the whole House have had under consideration

S.B. No. 8. a bill for

an Act regulating the power of granting and disolving injunctions and restraining orders, and the mode of obtaining mandatory writs of injunctions and the practice under each in case of disobedience, and to repeal Chapter 43 of the Revised Statutes and Section 2 of an Act concerning mines, approved February 13, 1874, and the Act amendatory thereof, entitled an Act to amend an Act entitled an Act concerning mines, approved February 13th, 1874, and approved February 11th, 1876.

And instruct me to report the same back to the House and recommend its passage; Also

H.B. No. 49. A Bill for an Act to amend the existing Laws of Evidence in this State,

And instruct me to report the same back to the House with amendments, and recommend that the amendments be agreed to; Also

H.B. No. 56. a bill for

an Act concerning certiorari from Justices of the Peace to County and District Courts, and regulating the practice therein, and to repeal all other Acts in relation thereto.

And instruct me to report

the same back with amendments, and recommend that the amendments be agreed to; Also

H.B. No. 195. a bill for an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Colorado,

And instruct me to report the same back to the House with the recommendation that it be indefinitely postponed; Also

H.B. No. 238. a bill for

an Act providing for the sale of lots and parcels of land in the City of Central, and to repeal Sections 2 and 3 of an Act for the relief of the inhabitants of the City of Central, approved Feb. 1st, 1876.

And instruct me to report the same back to the House with the recommendation that it be considered engrossed and ordered to a third reading; Also

S.B. No. 131. a bill for an act regulating the practice in case of preliminary examination before Justices of the Peace while acting as Conservators of the Peace,

And instruct me to report the same back to the House and recommend its passage; Also

H.B. No 245. a bill for an act to provide for the expense of completing the records in the office of the Secretary of State,

And instruct me to report the same back to the House with the recommendation that it be indefinitely postponed; Also

S.B. No. 75, a bill for an act to repeal certain laws relating to Corporations,

And instruct me to report the same back, to the House with the recommendation that its consideration be postponed until Wednesday next, Feby 21, 1877

P. E. Morehouse
Chairman,

Mr Morehouse moved that the report of the Committee of the whole be agreed to,

Mr Smith moved to amend the report by reporting S.B. No. 195 back without recommendation,

Upon this motion Mr Rand demanded the "Yeas" and "Nays" which were had with the following result;

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER, MAYER~~, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, ~~PIERCE~~, RAINEY, ~~RAND~~, RANSOM, ~~SCHINNER, SEIBER, SIMMONS~~, SMITH, ~~STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 14.

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD~~, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, MAYER, ~~MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS~~, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM~~, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~ — 24.

Gentlemen absent and not voting were:

Alberts, Alford, Canfield, Helm, Lake, Laragoite, Moss, A D Wilson — 8.

And so the motion did not prevail.

Mr Rand moved that the report be agreed to except that portion relating to S & B No. 745.

Which motion was lost.

The question recurring upon the motion to agree to the report

The "Yeas" and "Nays" were had with the following result:

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS, ALFORD~~, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, ~~GREEN~~, GRIFFIN, ~~HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, MAYER, ~~MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY~~, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES~~, VIJIL, ~~WATTS~~, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. — 27.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS~~, ALFORD, ~~ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF~~, GREEN, ~~GRIFFIN, HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER, MAYER~~, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, ~~RAND, RANSOM, SCHINNER, SEIBER~~, SIMMONS, SMITH, ~~STOKES~~, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. — 15.

Gentlemen absent and not voting were:

Alberts, Canfield, Helm, Lake, Laragoite, Moss, A D Wilson — 7.

Then to the amendment prevailed,
And the report of the Committee of the whole was agreed to.
S.B. No. 8. A bill for

an Act regulating the power of granting and disolving injunctions and restraining orders, and the mode of obtaining mandatory writs of injunctions and the practice under each in case of disobedience, and to repeal Chapter 43 of the Revised Statutes and Section 2 of an Act concerning mines, approved February 13, 1874, and the Act amendatory thereof, entitled an Act to amend an Act entitled an Act concerning mines, approved February 13th, 1874, and approved February 11th, 1876.

Was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ~~ARCHULETA~~, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY, RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. — 25.

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD~~, ARCHULETA, ~~CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN~~, ~~HELM~~, IRWIN, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, ~~MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS~~, WILKINS, WILSON, A. D., ~~WILSON, GEO. W.~~, YOUNG, ~~MR. SPEAKER~~. — 19.

Gentlemen absent and not voting were:

Alberts, Helm, Lake, Laragoite, Moss — 5

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

But failing to receive a two-thirds majority, the House did not order that the emergency clause take effect,

H.B. No. 171. A bill for an act regulating the practice in case of preliminary examinations before Justices of the peace while acting as conservators of the peace,

Was read a third time,

Mr Phelps moved to amend Sec 1 by striking out the word "defendant" and inserting in lieu thereof the words "prosecuting witness"

Which motion prevailed

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES~~, SURLES, VIJIL, ~~WATTS, WILKINS~~, WILSON, A. D., WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. — 36.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD~~, LUTHER, ~~MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER~~, SIMMONS, ~~SMITH~~, STOKES, ~~SURLES, VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. — 8

Gentlemen absent and not voting were:

Alberts, Helm, Lake, Laragoite, Moss — 5

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

H.B. No. 238. A bill for an act providing for the sale of lots and parcels of land in the city of Central, and to repeal Section 2 and 3 of an act for the relief of the inhabitants of the city of Central, approved July 1st 1876.

Was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. —— 44.

~~Gentlemen voting~~ and none in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~

Gentlemen absent and not voting were:

Alberts, Helm, Lake, Laragoite, Moss —— 5.

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

H.B. No. 89. having failed to pass on the 9th instant,

And a motion having been made to reconsider the vote by which it was lost,

And the ~~motion~~ consideration of the motion to reconsider having been postponed and made a Special Order and not having been taken up at the time for which it was set.

Was taken up,

The question being upon the motion to reconsider,

The motion was lost,

H.B. No. 774. a Bill for an act relating to preserving evidence of death and heirship,

Having failed to pass on the 16 instant,

And the vote by which it failed to pass having been reconsidered,

Was taken up for further consideration,

The question being upon the passage of the bill,

The "yeas" and "nays" were had,

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERT~~S, ALFORD, ARCHULETA, ~~CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBE~~L, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY, RAND, RANSOM~~, SCHINNER, ~~SEIBER, SIMMON~~S, SMITH, ~~STOKES, SURLES, VIJIL, WATTS~~, WILKINS, ~~WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. — 22,

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA~~, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, RAND, RANSOM, ~~SCHINNER~~, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. — 21

Gentlemen absent and not voting were:

Alberts, Helm, Irwin, Lake, Laragoite, Moss — 6,

A constitutional majority not having voted in favor of the passage of the bill,

The bill ~~passed~~. failed to pass,

~~And the title was agreed to.~~

Mr Stokes moved that H.B. No. 62, be taken from the table and referred to the Committee on Public Lands,

Which motion prevailed.

The Committee on Finance Ways and Means presented the following report:

MR. SPEAKER:

Your Committee on Finance Ways and Means to whom was referred H.R. No. 174 An act concerning damages, and to repeal an act entitled an act concerning damages, approved Feby 8, 1877

have had the same under consideration, and report it back with the recommendation that it be passed as amended

Isaac Canfield Chairman.

~~Sec~~ In Sec. 1. after the words "$5,000" insert "and not less than $2,000."
In same Section, change "Six months" to one year"

MR. SPEAKER:

Your Committee on Finance Ways and Means to whom was referred H.P. No. 155. A Bill for an act concerning railroads

have had the same under consideration, and report it back with the recommendation that it be laid on the table

Isaac Caufield, Chairman.

MR. SPEAKER:

Your Committee on Finance, Ways and Means to whom was referred H.P. No. 47 An Act to provide for the deficit in the Centennial Commission"

have had the same under consideration, and report it back with the recommendation that it be laid upon the table

Isaac Caufield Chairman.

MR. SPEAKER:

Your Committee on Finance Ways & Means to whom was referred H.B. No. 205. A bill for an act for the purpose of paying the expense of the State Penitentiary"

have had the same under consideration, and report it back with the recommendation that ~~it be~~ $40000 be stricken out, and $25000 be inserted in lieu thereof

Isaac Canfield, Chairman.

MR. SPEAKER:

Your Committee on Finance, Ways & Means to whom was referred H.B. No. 218. A Bill for an act, making silver a legal tender for all debts public and private in this State

have had the same under consideration, and report it back with the recommendation that it be laid on the table

Isaac Canfield, Chairman.

Mr Simmons moved that the report of the Committee on Finance Ways and Means, relative to H.B. No. 174, be printed,

Which motion was lost,

Mr A D Wilson moved to agree to the report of the Committee on Finance, Ways and Means, recommending that H.B. No. 47. H.B. No. 155. and H.B. No. 218 be laid on the table,

Which motion prevailed,

Mr Simmons moved that the report of the Committee on Finance Ways and Means, recommending amendments to H.B. No. 174, be agreed to,

Which motion prevailed,

Mr Simmons moved that the report of the Committee on Finance Ways and Means, recommending amendments to H.B. No. 205. be agreed to

Which motion prevailed

At 4,55 P.M.

Mr Wilkins moved that the House do now adjourn,

Which motion prevailed,

And the House adjourned to 9,15 A.M. tomorrow, Tuesday, Feby 20. 1877.

House Journal

of the

General Assembly

of the

State of Colorado

First Session

Eighty-Fourth Day

Eighty Fourth Day

Tuesday. February 20th 1877

House met at 9.15 A.M.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, ~~GREEN~~, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, ~~SEIBER, SIMMONS~~, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. —41,

Being a quorum of the House.

Absent Messrs Alberts, Green, Helm, Lake, Langoitte, Moss, Seiber, Simmons ~~Moss~~ 8

Journal of the previous days session was read and approved,

The Joint Committee on Enrollment presented the following report,

MR. SPEAKER:

The Joint Committee on Enrollment presented H.B. No. 94, S.B. No. 49 and S.B. No 54,

to his Excellency, the Governor, for his approval, at 5 15 o'clock, P. m., July 19 A.D. 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The Committee on Engrossment presented the following reports,

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 246, a Bill for an act concerning irrigation

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 254, a Bill for an act to amend Sec. 11 of Chapter 72 of the Revised Statutes of Colorado relating to the abandonment of claims upon the public domain

and find the same correctly engrossed.

N. C. Alford, Chairman.

and placed on General Order of the consideration of the whole House.

S.J.R. No. 14, relating to: Sections 16 and 36, of the Public Lands;

Was read a second time.

S.B. No. 30, a bill for an act to establish a State Board of Agriculture, and to define their duties,

Was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ~~ESQUIBEL~~, GOTTHELF, GREEN, ~~GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD, LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, ~~PIERCE~~, RAINEY, RAND, RANSOM, ~~SCHINNER, SEIBER, SIMMONS~~, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~. — 34

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE,~~ ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE,~~ LANGFORD, ~~LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH,~~ STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. — 4

Gentlemen absent and not voting were:

Albuts, Griffin, Helm, Kittredge, Lake, Laragoite, Moss, Pierce, Schinner, Seiber, Simmons — 11

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

And the House ordered that the bill take effect immediately as provided in the emergency clause therein contained.

Messrs Adams, Chaves, Carlile, Irwin, Luther, McMurray, Wilkins and A. D. Wilson explained their votes by saying that they voted in the affirmative so that the emergency clause might take effect.

H. B. No. 205, a bill for an act for the purpose of paying the expenses of the State Penitentiary,

Was read a third time,

Mr Ransom moved to amend Sec 1. by adding thereto the following; "and that $5,000 of the same be used for the expenses in 1877 and $20,000 for the expenses in 1878.

Which motion prevailed,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ~~ARCHULETA~~, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, ~~LUTHER~~, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, PHELPS, ~~PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, ~~SEIBER, SIMMONS~~, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 34.

and Mr Stokes — 1

~~Gentlemen voting~~ in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~

Gentlemen absent and not voting were:

Alberts, Archuleta, Helm, Kittredge, Lake, Laragoite, Luther, Marshman, Morehouse, Moss, Pierce, Seiber, Simmons, Wilkins — 14

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

The bill was ordered to amend the title by adding thereto the following; "for the years 1897 and 1898"

Which motion prevailed.

And as thus amended,

The title was agreed to,

At 10. a.m. the hour having arrived for the consideration of the Special Order,

Being the motion to indefinitely postpone H.B. No. 276.

The Special Order was taken up,

The question being upon the motion to indefinitely postpone,

Mr Phelps demanded the "Yeas" and "Nays"

Which were had with the following result;

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, MAYER, ~~MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN~~, PHELPS, ~~PIERCE~~, RAINEY, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS~~, SMITH, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. — 16,

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER, MAYER~~, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY, RAND~~, RANSOM, SCHINNER, ~~SEIBER, SIMMONS, SMITH, STOKES~~, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG, MR. SPEAKER.~~ — 27

Gentlemen absent and not voting were:

Alberts, Helm, Lake, Laragoite, Moss, Simmons — 6.

And so the motion to indefinitely postpone did not prevail.

Mr Phelps moved that the bill be now read a third time and put upon its final passage.

Which motion prevailed,

And

H.B. No. 276, a Bill for an act for the relief of E.W. Brewster, was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF~~, GREEN, ~~GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER, MAYER, MARSHMAN, McBROOM~~, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY, RAND~~, RANSOM, ~~SCHINNER, SEIBER, SIMMONS, SMITH, STOKES~~, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. 11

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON~~, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, ~~GREEN~~, GRIFFIN, ~~HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, ~~McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN~~, PHELPS, ~~PIERCE~~, RAINEY, RAND, ~~RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, ~~SURLES~~, VIJIL, ~~WATTS~~, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 30

Gentlemen absent and not voting were:

Alberts, Chacon, Helm, Kittredge, Lake, Laragoite, Moss, Simmons 8

A constitutional majority having voted in favor of the passage of the bill,

The bill ~~passed~~ failed to pass

Pending the call of the roll, Mr Rand moved that Mr Kittredge be excused from voting, Which motion prevailed, Mr Rand also moved that

Mr McAlmont will be excused from voting,

Which motion was lost,

H.B. No. 246. A Bill for an act concerning Irrigation,

Was read a third time,

Mr Langford moved to amend Sec. 19 by inserting after the word "shall" in line 1 of the printed bill, the words, "upon petition of twenty or more farmers"

Which motion prevailed,

Mr Rand moved to amend Sec 5. by striking out the words "or public travelled road",

Which motion was lost,

Mr Langford moved to amend Sec. 19 by inserting after "farmers", the words, "residents of the county,"

which motion prevailed,

Mr McBroom moved to amend Sec, 5, line 1, by striking out the words, "and maintain,"

Which motion prevailed,

Mr Rand moved to amend Sec. 5 by striking out of line 9 the words "and travelled",

Which motion was lost,

Mr Ransom moved to amend Sec, 15, line 5, by inserting after the word "water", the words, "nor shall any such owner or owners suffer any water to run along

the has ceased to be part of any legal highway or public roadbed so said."

Which motion prevailed.

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ~~ARCHULETA, CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, ~~GREEN~~, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, ~~LUTHER~~, MAYER, ~~MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, PHELPS, ~~PIERCE~~, RAINEY, ~~RAND~~, RANSOM, SCHINNER, ~~SEIBER, SIMMONS~~, SMITH, ~~STOKES~~, SURLES, ~~VIJIL, WATTS~~, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 29.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA~~, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS~~, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES~~, VIJIL, WATTS, ~~WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 7.

Gentlemen absent and not voting were:

Adams, Alberts, Archuleta, Green, Helm, Irwin, Lake, Laragoite, Luther, Marshman, Morrhouse, Moss, Simmons — 13

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

S. B. No. 254. A Bill for an act to amend Sec. 11. of Chapter 72 of the revised Statutes of Colorado relating to the abandonment of claims upon the public domain,

was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA~~, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD, LARAGOITE~~, LEONARD, LORD, ~~LUTHER, MAYER, MARSHMAN~~, McBROOM, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, PHELPS, ~~PIERCE, RAINEY, RAND~~, RANSOM, SCHINNER, ~~SEIBER, SIMMONS~~, SMITH, ~~STOKES~~, SURLES, ~~VIJIL, WATTS~~, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 22.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS~~, ALFORD, ~~ARCHULETA, CANFIELD~~, CHACON, ~~CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER~~, MAYER, ~~MARSHMAN, McBROOM, McDERMITT~~, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS~~, PIERCE, RAINEY, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES~~, VIJIL, WATTS, ~~WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~ — 11.

Gentlemen absent and not voting were:

Adams, Alberts, Archuleta, Gotthelf, Green, Griffin, Helm, Irwin, Lake, Langford, Laragoite, Luther, Marshman, Morehouse, Moss, Simmons — 16.

A constitutional majority having voted in favor of the passage of the bill,

The bill ~~passed~~ failed to pass.

Mr. McIntyre moved that the vote by which H.B. No. 2654 failed to pass, be reconsidered, which motion prevailed, The question recurring upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ~~ARCHULETA, CANFIELD~~, CHACON, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, ~~LUTHER, MAYER, MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, PHELPS, ~~PIERCE~~, ~~RAINEY~~, RAND, RANSOM, SCHINNER, ~~SEIBER, SIMMONS~~, SMITH, ~~STOKES~~, SURLES, VIJIL, ~~WATTS~~, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 28

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA~~, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, ~~GREEN~~, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER~~, MAYER, ~~MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS~~, PIERCE, RAINEY, ~~RAND, RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. 10.

Gentlemen absent and not voting were:

Alberts, Archuleta, Green, Helm, Lake, Laragoite, Luther, Marshman, Morehouse, Moss, Simmons 11.

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

Mr Phelps moved that the House do now take a recess until two o'clock this afternoon,

Which motion prevailed,

And at 11:45 the House took a recess

At two P.M. the House was called to order by the Speaker,

The following message was received from the Senate,

State of Colorado
Senate Chamber
Denver Feby 20. 1877.

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has concurred in amendments ~~propos~~ proposed by the House to S.B. No. 121. "Concerning Practice in cases of preliminary examinations" and has passed S.B. No. 43 "Providing for the Selection, Location etc of State Lands" S.B. No. 151 "Concerning Jails" and H.B. No 176 "to repeal an act providing for the fencing of lands where grass is cut in Las Animas County" Senate Bills No. 141, 43 and 154 and H.B. No. 176 are herewith transmitted.

Also

that the Senate refuses to concur in others but 1st and 2nd House amendments to S.B. No. 30 "For the protection of wild Game" hereby returned and asks the appointment of a Committee of Conference.

Messrs Webster and Ellsworth have been appointed on part of the Senate, Also

that the Senate has amended and passed H.B. No. 204 "to provide for paying the expenses of locating the Public Lands" and H.B No. 259 "Concerning the location of County Lines" and has passed by 2/3 vote H.B. No. 251,

to submit to the electors of the State an amendment to the Constitution all of which are herewith transmitted.

Respectfully
Wm T Clark
Secy of the Senate

The hour having arrived for the consideration of the Special Order Being H.B. No. 270.

The Special Order was taken up,

The bill having been read a third time on the 13th instant

The question recurred upon the passage of the bill.

Mr Alford moved to amend Sec. 3. by changing the Schedule, as follows:

American yearlings from $12. to $10.
" " two-years old " 22 " 20
" " three years old, & over " 30 " 25

Which motion prevailed.

Mr Gottlieb moved to amend Sec. 3 by inserting in the Schedule of the word "Texas" the words "or mexican"

Which motion prevailed

Mr Marshman moved to amend Sec. 3 by providing that thoroughbred cattle and sheep shall be paid for at two-thirds their cash value,

Which motion was lost,

Mr Marshman moved to amend Sec 3 by providing that shares, mules and asses be paid for at two-thirds their cash values,

Which motion was lost

Mr Gotthelf moved to amend Sec 3, line 21, by inserting the words "or Mexican" af the word "Texan"

Which motion prevailed.

Mr A D Wilson moved to reconsider the vote by which the prices in the schedule were changed,

Which motion prevailed,

The question recurring upon the motion to amend the schedule,

The motion was lost,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ~~ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, ~~KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, MAYER, ~~MARSHMAN~~, McBROOM, ~~McDERMITT, McINTIRE~~, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, ~~PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES~~, VIJIL, ~~WATTS, WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~. 27

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD~~, ARCHULETA, CANFIELD, CHACON, ~~CHAVES~~, CARLILE, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER, MAYER~~, MARSHMAN, ~~McBROOM~~, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS~~, PIERCE, ~~RAINEY, RAND, RANSOM, SCHINNER, SEIBER~~, SIMMONS, SMITH, ~~STOKES~~, SURLES, ~~VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. 15

Gentlemen absent and not voting were:

Albirts, Chaves, Helm, Lake, Laragoite, McIntyre, Moss 7

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

Mr Prince moved to amend, the title by striking out the word "amend" and inserting in lieu thereof the word "repeal"

Mr Phelps moved as an amendment that the words "and to enact other provisions in lieu thereof." be stricken out,

which motion prevailed

The question recurring upon the motion as amended,

The motion prevailed,

The Committee on State Institutions presented the following reports;

MR. SPEAKER:

Your Committee on State Institutions *to whom was referred* H.B. No. 202 A Bill for an act for the maintenance of lunatic paupers

have had the same under consideration, and report it back with the recommendation that it be laid on the table

C. V. Kittredge *Chairman.*

MR. SPEAKER:

Your Committee on State Institutions to whom was referred H.B. No. 132 A Bill for an Act concerning a Board of Health have had the same under consideration, and report it back with the recommendation that it be amended by striking out all after the enacting Clause and substituting in lieu thereof the sections proposed by your Committee and which they have attached to the original

C. W. Kittredge Chairman.

Mr M Broom moved that the report of the Committee on State Institutions relative to H.B. No. 102. and H.B. No. 132. be agreed to, which motion prevailed.

H.B. No. 132. A Bill for an act concerning a Board of Health, was read a first time,

H.B. No 32 was taken up for further consideration,

The House having made amendments to the bill, and the Senate having refused to concur, and having also asked for a Committee of Conference,

Mr Kittredge moved that the House recede from its amendment

Which motion prevailed,

H.B. No. 204. was taken up for further consideration,

The Senate having made amendments thereto,

Mr Surles moved that the House concur in the ~~amen~~ Senate amendments,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ~~ARCHULETA~~, CANFIELD, ~~CHACON, CHAVES, CARLILE~~, ~~ESQUIBEL~~, GOTTHELF, GREEN, ~~GRIFFIN, HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE~~, ~~LANGFORD, LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, ~~PHELPS~~, PIERCE, ~~RAINEY, RAND~~, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, ~~SMITH, STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 24.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, ~~CHAVES, CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS~~, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 9.

Gentlemen absent and not voting were:

Adams, Alberts, Archuleta, Chavez, Carlile, Griffin, Helm, Irwin, Lake, Laragoite, Moss, Phelps, Rainey, Rand, Smith, A.D. Wilson — 16.

A constitutional majority not having voted in favor of concurring in the amendments,

The amendments were not concurred in,

H.B. No. 209 was taken up for further consideration,

The Senate having made amendments thereto,

Mr McDermitt moved that

the House concur in the Senate amendments,

The "yeas" and "nays" were had.,

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ~~ARCHULETA~~, CANFIELD, CHACON, ~~CHAVES, CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN, HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY~~, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 35

and none in the negative

~~Gentlemen voting in the negative were~~:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~

Gentlemen absent and not voting were:

Adams, Alberts, Archuleta, Chaves, Carlile, Griffin, Helm, Irwin, Lake, Laragoite, Morehouse, Moss, Rainey, A D Wilson, — 14

A constitutional majority having voted in favor ~~of the passage of the bill~~ of concurring in the amendments,

The ~~bill passed~~ amendments were concurred in

Mr Chaves was granted leave of absence for the remainder of this afternoons session of the House,

S.B. No. 154. A Bill for an act to repeal the acts concerning Jails, and to enact other laws in place thereof,

Also

S.B. No. 143. A Bill for an act to provide for the selection, location, appraisal, sale and leasing of state lands,

Were read a first time,

The Committee on Roads and Bridges presented the following reports:

MR. SPEAKER:

Your Committee on Road and Bridges to whom was referred H.B. No. 181 A Bill for an act concerning Maine

have had the same under consideration, and report it back with the recommendation that it be laid on the table

Geo A Patten Chairman.

MR. SPEAKER:

Your Committee on Road and Bridges to whom was referred H.B. No. 240 Prohibiting County Commissioners from granting franchise over any public highway

have had the same under consideration, and report it back with the recommendation that it be laid on the table

Geo A Patten Chairman.

Mr Morehouse moved that the reports of the Committee on Roads and Bridges, recommending that H.B. No. 184 and H.B. No. 270, be laid on the table be agreed to,

Which motion prevailed,

Mr McDermitt moved that the Senate be requested to return H.B. No. 30, to the House for further action,

Which motion prevailed,

Mr Morehouse moved that the vote by which the ~~vote~~ report of the Committee of the whole was agreed to yesterday, recommending the indefinite postponement of H.B. No. 245, be reconsidered,

And upon this motion,

Mr Patten demanded the "Yeas" and "Nays"

Which were had with the following result;

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF~~, GREEN, ~~GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY, RAND~~, RANSOM, SCHINNER, ~~SEIBER, SIMMONS, SMITH, STOKES~~, SURLES, VIJIL, ~~WATTS, WILKINS, WILSON, A. D.~~, WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. — 16.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, ~~CHAVES, CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN~~, GRIFFIN, ~~HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD~~, LUTHER, ~~MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, RAND, ~~RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS~~, SMITH, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W.~~, YOUNG, ~~MR. SPEAKER~~. — 15.

Gentlemen absent and not voting were:

Adams, Alberts, Alford, Archuleta, Canfield, Chaves, Carlile, Gotthelf, Helm, Kittredge, Lake, Laragoite, Lord, McBroom, Moss, Simmons, Watts, Wilkins. — 18.

And so the motion to reconsider prevailed,

Mr Phelps moved to amend the report by recommending that H.B. No. 245 be referred to a Special committee of three,

Which motion prevailed,

And as thus amended the report of the committee of the whole was agreed to,

The Speaker announced as the Special committee to take in charge H.B. No. 245,

Messrs McIntyre, Irwin and Griffin.

At 2,45 P.M.

Mr Phelps moved that the House do now adjourn,

Which motion prevailed.

And the House adjourned to 9,15 A.M. Tomorrow, Wednesday, Feby 21, 1877.

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Eighty-Fifth Day

Eighty-Fifth Day

Wednesday Feby 21. 1877.

House met at 9:15 a.m.
Speaker in the chair.
Prayer by the chaplain.
The roll was called,
And the following gentlemen were present and answered to their names:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM,~~ IRWIN, KITTREDGE, KRUSE, ~~LAKE~~ LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS,~~ PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS,~~ SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. – 43.

Being a quorum of the House.

Absent Messrs Alberts, Helm, Lake, Laragoite, Moss, Simmons – 6

Journal of the previous day session was read and approved.

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Feby 20th 1877

To the Honorable
The House of Representatives
of the State of Colorado

I am instructed to inform your Honorable body that the Senate has concurred in amendments proposed by the House to S.B. No. 28, "A Bill for an Act concerning Elections" as follows;
Amendments to Sections 7, 9, 21, 27, 36, 50,
2d amendment to Sec 54. Sections 72, 73, 109,

106, 175 and in new section immediately preceding the last section.

Has amended House amendments to Sections 23 and 68 and has concurred in such amendments as amended.

Refuses to concur in amendments proposed by the House as follows viz.

1 amendments to Secs 54. 56. 104 and proposed Section 66.

The concurrence of the House is requested in amendments proposed by the Senate to House amendments in Sections 23 & 68.

Also

That the Senate has concurred in amendments proposed by the House to S.B. No 37 "A Bill establishing a State Board of Agriculture" etc" by a two-thirds vote and

That the Senate insists on its amendments to H.B. No. 204 "A Bill to provide for paying expenses of Locating State Lands" etc. which is herewith returned,

Also

At the request of your Honorable Body SB No 30 is herewith returned

Respectfully
Geo T. Clark
Secy of the Senate.

The committee on Corporations presented the following report;

MR. SPEAKER:

Your Committee on Corporations to whom was referred Secs 51 & 55. The 6th Subdivision of Sec 111 and Sec 125 - with a proposed amendment thereto of H.B. No. 26;

have had the same under consideration, and report it back with the recommendation that ~~the~~ Secs 51 & 55 be retained and that the accompanying substitute for Sec. 125 be adopted. Your Committee are of the opinion that the 6th subdivision of Sec 111, should be modified - in regard to "Compensation for freights and passengers", but are not prepared to report a schedule of prices.

J. C. Hilton Chairman of

by P. E. Morrhouse on behalf of Committee,

The Committee on State Institutions presented the following reports;

MR. SPEAKER:

Your Committee on State Institutions to whom was referred H.B. No. 98, H.B. No. 141, H.B. No. 157, H.B. No. 136, H.B. No. 111, and H.B. No. 120

have had the same under consideration, and report it back with the recommendation that ~~it be~~ they be laid upon the table

C. W. Hattrudge Chairman.

MR. SPEAKER:

Your Committee on State Institutions

to whom was referred H.R. No. 243 A Bill for an act to amend Sec 1 of an act to authorize the County Commissioners of Douglas County to provide a fund for the erection of Public Buildings approved Feby 13th 1874

have had the same under consideration, and report it back with the recommendation that it be passed

C W Kittredge *Chairman.*

The Committee on Enrollment presented the following report;

MR. SPEAKER:

Your Committee on Enrollment have examined H.R. No. 176. An Act to repeal an act providing for the fencing of lands where grass is cut and put in stacks in Lac Qui Parle County

and find the same correctly enrolled.

A. A. Smith, *Chairman*

The Committee on Agriculture presented the following report;

MR. SPEAKER:

Your Committee on Agriculture to whom was referred H.B. No. 180 A Bill for an act relating to fences

have had the same under consideration, and report it back with the recommendation that it be laid on the table

D. F. Rainey Chairman.

S.B. No 28 was taken up for further consideration.

The House having made amendments

And the Senate having concurred in some of the House amendments, and refused to concur in other amendments,

Mr Kittredge moved that the House concur in Senate amendments to House amendments to Sections 43 and 68.

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W.,~~ YOUNG, MR. SPEAKER. — 41.

And none

~~Gentlemen voting~~ in the negative ~~were~~:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~

Gentlemen absent and not voting were:

Alberts, Helm, Lake, Laragoite, Moss, Simmons, A D Wilson, Geo W Wilson, — 8.

And so a constitutional majority having voted in favor of concurring in the amendments,

The amendments were concurred in,

Mr Alford moved that the House recede from its amendments to Sections 57 and 59.

Which motion prevailed.

Mr Ransom moved that the House insist on its amendments &c. 104.

Mr A D Wilson moved as an amendment that the House recede,

Which motion prevailed.

The question recurring upon the motion as amended

The motion prevailed.

Mr Kittredge moved that the House insist on its amendments to Sec. 6 &c.

Which motion prevailed.

Mr Phelps moved that the vote by which the House receded from its amendments to Sec, or be reconsidered

Which motion prevailed.

The question recurring upon the motion to recede,

The motion was lost,

The question then recurring upon the motion to insist

The motion prevailed.

H.B. No. 204, was taken up for further consideration,

The Senate having made amendments thereto,

And the House having refused to concur therein,

And the Senate having insisted upon its amendments

Mr Kittredge moved that the House concur

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD, CHACON~~, CHAVES, CARLILE, ~~ESQUIBEL~~, GOTTHELF, GREEN, ~~GRIFFIN, HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE, LANGFORD, LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, ~~McDERMITT, McINTIRE, McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, ~~RAND~~, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES, SURLES~~, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 31.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA~~, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, SURLES, ~~VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. 6.

Gentlemen absent and not voting were:

Alberts, Chacon, Esquibel, Griffin, Helm, Irwin, Lake, Laragoite, McDermitt, Moss, Rand, Simmons 12

A constitutional majority having ~~voting~~ voted in favor of concurring in the amendment,

The amendments were concurred in.

H.B. No 243 a bill for an act to amend sec 2 of an act to authorize the County Commissioners of Douglas County to provide a fund for the erection of Public Buildings, approved Feby 13. 1874.

Was read a first time,

S.B. No. 154 A Bill for an act to repeal the acts concerning Jails, and to enact other provisions in place thereof.

Also,

H. B. No. 43, A Bill for an act to provide for the selection, location, appraisal, ~~and~~ sale and leasing of State lands

Was read a second time, And placed on General Orders to be considered in Committee of the whole House.

~~Was~~ Reports of Committees were taken up and disposed of as follows:

Report of Committee on State Institutions, relative to ~~H.~~ H. B. No 98, H. B. No. 111 H. B. No 120 H. B. No 136 H. B. No 141 and H. B. No. 157 recommending that they be laid on the table,

Mr Ransom moved that the report of the Committee be agreed to,

Which motion prevailed.

Report of the Committee on Agriculture, relative to H. B. No. 180, recommending that it be laid on the table,

Mr McBroom moved that the report of the Committee be agreed,

Which motion prevailed.

The Joint Committee on Enrollment presented the following report:

MR. SPEAKER;

The Joint Committee on enrollment have examined S.B. No. 118 An act to preserve the Public Health. Also S.B. No. 121 An act regulating the practice in cases of preliminary examination before justices of the peace while acting as conservators of the peace also S.B. No. 135 An act for the relief of Las Animas County *and find the same correctly enrolled.*

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 10.45 A.M.

The Speaker in the presence of the House, signed S.B. No. 118, A Bill for an act to preserve the public Health.

Also

S.B. No. 121. A Bill for an act regulating the practice in cases of preliminary examination before Justices of the peace while acting as conservators of the peace.

Also

S.B. No. 135 A Bill for an act for the relief of Las Animas County.

The report of the Committee on Corporations, relative

to H.B. No. 76, Making certain recommendations, was taken up for consideration,

And the report and bill were placed on General Orders to be considered in Committee of the whole House,

By Consent

The Special Committee of three, having in charge H.B. No 76. presented the following report;

MR. SPEAKER:

Your Special Committee ~~on~~ of three to whom was referred H.B. No. 76. a bill for an act provide for the breeding, Herding and care of stock, and to repeal all previous legislation thereto

have had the same under consideration, and report it back with the recommendation that ~~it be~~ certain amendments therewith be incorporated in the bill, and as amended, it be passed

J Gotthelf Ch

Mr Ransom moved that the report and bill be placed on General Orders for consideration in Committee of the Whole House,

Which motion prevailed,

The Committee on Enrollment

presented the following reports:

MR. SPEAKER:

Your Committee on Enrollment have examined H. B. No. 251, An Act to submit to the qualified electors of the State of Colorado an amendment to Sec. 9, Article 6 of the Constitution, concerning the Judicial Department

and find the same correctly enrolled.

A. A. Smith, Chairman.

MR. SPEAKER:

Your Committee on Enrollment have examined H. B. No. 259 An Act concerning the more definite location of County Lines

and find the same correctly enrolled.

A. A. Smith, Chairman.

H.B. No. 50, having been recalled from the Senate of further action,

Mr McDermitt moved that the vote by which the House receded from it amendments to H.B. No. 30, be reconsidered,

~~Which motion prevailed,~~

The question recurring upon the motion to recede,

The motion was lost,

Mr Phelps ~~the~~ moved that House insist on its amendments, and accede to the request of the Senate for a Committee of Conference,

Which motion prevailed,

And the Speaker appointed as said Committee on the part of the House,

Messrs Prince, Kittredge and Stokes,

Mr Kruse moved that H.B. No 96 be taken from the table and ordered to a second reading

Which motion prevailed,

Mr Ransom moved that the House do now go into Committee of the whole for the consideration of H.B. No. 26, and other bills on General Orders,

Which motion prevailed,

And the House resolved

itself into Committee of the whole. ~~on~~

With Mr Kittredge in the chair.

After some time spent therein, the Committee arose and through its chairman presented the following report,

Mr Speaker; The Committee of the whole House have ~~had under~~ consideration certain sections of

S. B. No. 26. A Bill for an act to provide for the formation of Corporations,

Have gone through therewith and have adopted the sections as recommended by the Committee on Corporations and as thus amended I am instructed to report the bill back to the House ~~with~~ with the recommendation that the amendments be agreed to,

C. W. Kittredge
Chairman.

Mr Phelps moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,

And the amendments proposed by the Committee of the whole were ordered printed,

Messrs Kruse and Adams were excused from attendance upon this afternoon session of the House.

The Committee on Education presented the following reports;

MR. SPEAKER:

Your Committee on Education

to whom was referred H.B. No 143 An Act concerning the Education of Children

have had the same under consideration, and report it back with the recommendation that it be laid on the table

P. E. Morehouse Chairman.

MR. SPEAKER:

Your Committee on Education

to whom was referred A Memorial from the Common Council of Denver,

have had the same under consideration, and report it back with the recommendation that it be laid on the table - A Bill on the subject having been passed by this House

P. E. Morehouse Chairman

MR. SPEAKER:

Your Committee on Education

to whom was referred a memorial of the National Board of Trade of the United States" To the Honorable the Senate and House of Representatives of the State of Colo"

have had the same under consideration, and report it back with the recommendation that it be laid on the table — and a copy of the accompanying report or something of similar purport be forwarded to Secretary of National Board of Trade

P. E. Morehouse Chairman.

MR. SPEAKER:

Your Committee on Education

to whom was referred H. B. No. 37

have had the same under consideration, and report it back with the recommendation that it be made a Special Order in Committee of the whole House at 10 A.M. Friday Feby 23. 1877

P. E. Morehouse Chairman.

Mr Randimoved

that the report of the Committee on Education relative to H.B. No. 37, be agreed to,

Which motion prevailed,

The following communication was received from His Excellency, the Governor;

State of Colorado.
Executive Dept.
Denver Feby 21st 1877,

Hon. W. D. Anthony.
Speaker of House of Representatives
Sir!

I have the honor to inform you that I have signed H.B. No 94, "entitled an act exempting firemen as jurors and from paying poll tax, in the state of Colorado, and have filed the same with the Secretary of State

Very respectfully
John L. Routt
Governor,

Mr Rand moved that the House do now take a recess until two o'clock this afternoon,

Which motion prevailed,

And at 12 M the House took a recess

At two o'clock in the afternoon the House was called to order by the Speaker.

Mr Morehouse moved that when the House adjourns to-day it be next at 10 a.m. on Friday next, July 23. 1897

Which motion prevailed.

Mr A. D. Wilson moved that the House do now go into Committee of the whole for the consideration of H.B. No. 75 and other bills on General Orders.

Which motion prevailed,

And the House resolved itself into Committee of the whole,

With Mr Kitbridge in the chair,

After some time spent therein the Committee arose and through its Chairman presented the following report:

Mr Speaker: The Committee of the whole House have had under consideration H.B. No 75 a Bill for an act to provide for the branding and care of stock, and all previous acts in relation thereto,

Have made amendments thereto, and instructed me to report the same back to the House with the recommendation that the

amendments be agreed to,

C W Kittredge
Chairman,

Mr Phelps moved that the report of the Committee of the whole be agreed to,

Which motion prevailed,

And the amendments proposed by the Committee of the whole were ordered printed,

The following message was received from the Senate,

State of Colorado
Senate Chamber,
Denver Feby 21st 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate refuses to concur in House amendments to Sec 1 of and proposed Sec 6 of S.B. No. 28, concerning Elections, and requests appointment of Committee of Conference on the same, and has amended H.B. No. 36 and refuses to pass the same, H.B. No 36 is herewith returned to your Honorable body,

Respectfully Geo T Clark
Secy of the Senate,

The Committee on Enrollment presented the following report:

MR. SPEAKER:

Your Committee on Enrollment have examined H.B. No. 204, A Bill for an act to provide for paying the expense of inspecting, entering and locating the Public Lands

and find the same correctly enrolled.

A. A. Smith, Chairman.

The Joint Committee on Enrollment presented the following report:

The Joint Committee on enrollment have examined H.B. No. 259, An Act concerning the more definite location of Counties, also H.B. No. 25, An Act to submit to the qualified electors of the State of Colorado the 1 amendment to Sec 29 Article 6 of the constitution of the State of Colorado [illegible] Dept

and find the same correctly enrolled.

W. Wilson,

Chairman [illegible]

MR. SPEAKER:

The Joint Committee on enrollment have examined H.B. No. 176. An act to repeal an act entitled an act providing for the fencing of lands where grass is cut and put in stacks in Los Angeles County, Approved Feby 10, A.D. 1876, also S.B. No. 44. An act to prescribe certain powers and duties of the officers of the ~~Station~~ Executive Department and certain rules in relation to the fiscal affairs of the State, and find the same correctly enrolled.

(In connection therewith)

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

MR. SPEAKER:

The Joint Committee on Enrollment presented S.B. No. 135, S.B. No. 128 and S.B. No. 171,

his Excellency, the Governor, for his approval, at 4 20 o'clock, P. m., Feby 11 A.D. 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Common E

The Committee on Roads and Bridges presented the following report:

MR. SPEAKER:

Your Committee on Road and Bridges

to whom was referred H.B. No. 248 An Act to amend ~~Chapter 7 Highways~~

have had the same under consideration, and report it back with the recommendation that it be laid on the table

Geo A. Patten *Chairman.*

Mr Phelps introduced ~~H.C.R. No. 19.~~ HCR No. 19. In relation to Special Joint Committee on Compilation,

Also

HCR No. 20. In relation to adjourning Sine die on the tenth day of March 1897,

Which were laid over under the rules,

Mr Stokes moved that the vote by which H.B. No. 276. failed, to pass, be reconsidered,

Mr Adams at 3.20 PM moved that the House do now adjourn,

Which motion was lost,

The question coming upon the motion to reconsider,

Mr. Watts moved that the further consideration of the motion to reconsider be made a Special Order for two o'clock next Friday afternoon,

Which motion prevailed,

The Speaker announced as the Committee of Conference on the part of the House on S.B. No 28, Messrs Phelps, Morehouse and Irwin,

At 5:25 P.M.

The Speaker in the Presence of the House, signed

S.B. No. 44, a Bill for an act to prescribe certain powers and duties of the Officers of the Executive Department etc,

Also

S.B. No. 176 a Bill for an act to repeal an act providing for the fencing of lands when grass is cut and put in stack in Las Animas County etc,

Also

H.B. No. 259, a Bill for an act to provide for the more definite location of County lines,

Also

H.B. No. 251, a Bill for

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Eighty Sixth Day

Eighty Sixth Day

Friday Feby 23d 1877.

House met at 10. a m.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, ~~SURLES~~, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 42

Being a quorum of the House.

Absent Messrs Alberts, Helm, Lake, Laraguite Moss, Simmons, Surles — 7.

Mr Kittredge moved that Mr Helm be granted leave of absence until Tuesday next.

Which motion prevailed.

Journal of the previous days session was read and approved.

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Feby 23. 1877

To the Honorable
The House of Representatives
of the State of Colorado.

I am instructed

to inform your Honorable body that the Senate has concurred and passed H.B. No. 89, A Bill for an act providing a system of proceedings in civil actions in the courts of Justice of the State of Colorado, The concurrence of your Honorable body ~~is requested~~ to the amendments of the Senate is respectfully requested, H.B. No. 89 is herewith transmitted,

Also

That the Senate requests the return of H.B. No. 36.

Respectfully
Geo F. Clark
Secy of the Senate,

By unanimous consent, Mr Adams moved that the vote by which H.B. No. 8 passed this House, be reconsidered,

Which motion prevailed,

Mr Adams moved that the Senate be requested to return to the House for further action H.B. No. 8,

Which motion prevailed.

The Joint Committee on Enrollment presented the following report;

MR. SPEAKER;

The Joint Committee on enrollment have examined H.B. No. 204, An Act to provide for paying the expenses of inspecting entering and locating the Public Lands,

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 10:20 AM
The Speaker in the presence of the House, signed
H.B. No. 204. A Bill
for an act to provide for
paying the expenses of in-
specting entering and locating
the Public Lands,
S.B. No. 37. A Bill for
an act to establish and
maintain a system of free
schools.

Having been made
a special Order for
10 A.M. to day,
The House resolved

itself into Committee of the whole,
With Mr Adams in the chair,
After some space therein the Committee arose and through its Chairman presented the following report;
Mr Speaker; The Committee of the whole House have had under consideration
S.B. No. 37. A Bill for an act to establish and maintain a system of free schools
And instruct me to report progress and ask leave to sit again immediately after the disposition of the Special Order set for two o'clock this afternoon,
Alva Adams
Chairman,
The report of the Committee of the whole was agreed to,
Mr Phelps moved that the House do now take a recess until two o'clock this afternoon
Which motion prevailed,
And at 12:05 P.M.
the House took a recess,

At 1:00 P.M. the House was called to order by the Speaker.

~~The motion to see~~

Mr Stokes was granted leave of absence for the afternoon.

The motion to reconsider the vote by which H.B. No. 276 was lost, having been made ~~a Special Order for two o'clock~~ this afternoon,

Was taken up for consideration.

The question being upon the motion to reconsider,

The motion prevailed.

Mr Kittredge, ~~By~~

By unanimous consent,

Moved that H.B. No 276, be referred to a Special Committee of three with instructions to examine into and report the fact in relation to the bill to the House,

Which motion prevailed.

And the Speaker appointed as said Committee

Messrs Kittredge, Langford and Pierce.

The Joint Committee on enrollment presented the following report;

MR. SPEAKER:

The Joint Committee on Enrollment presented H.B. No 259 H.B. No 251, H.B. No 176 and S.B. No. 44.

to his Excellency, the Governor, for his approval, at 10:05 o'clock, a. m., Feby 13 AD 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The further consideration of S.B. No 37, was resumed in Committee of the whole with Mr Adams in the chair,

After some time spent therein the Committee arose and through its Chairman presented the following report;

Mr Speaker; The Committee of the whole House have had under further consideration S.B. No. 37, A Bill for an act to provide and maintain a system of free schools

Had instructed me to report progress and ask leave to sit again.

Alva Adams
Chairman.

The following message was received from the Senate,

State of Colorado.

Senate Chamber
Denver Feby 23. 1877

To the Honorable
The House of Representatives
of the State of Colorado.

I am instructed to inform your Honorable body that the Senate has appointed on a Conference Committee on the part of the Senate, on the disagreement of the two bodies, on S.B. No. 28 "Relating to Elections" Messrs Hayne Rhinit and De France

Respectfully
Geo G Clark
Secy of the Senate,

Mr Wilkins moved that Mr Leonard be granted leave of absence until next Thursday, which motion prevailed,

Mr Watts moved that the House do now take a recess until 7.30 this Evening.

Mr Marshman moved that the House do now adjourn,

Which motion prevailed,

And at 5.33 P.M.

The House adjourned to 9.15 A.M. tomorrow Saturday February 24. 1877

House Journal
of the
General Assembly
of the
State of Colorado

First Session

Eighty-Fourth Day

Eighty-Seventh Day

Saturday Feby 24. 1877

House met at 9:15 a.m.

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ~~ALBERTS,~~ ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN,~~ KITTREDGE, KRUSE, ~~LAKE,~~ LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, ~~VIGIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 40.

Being a quorum of the House.

Absent Messrs Alberts, Helm, Irwin, Lake, Laragoite, Leonard, Moss, Patten, Vigil — 9

Journal of the previous days session of was read and approved.

Messrs Vigil and Patten were granted leave of absence for the day.

The committee on Stock presented the following reports:

MR. SPEAKER:

Your Committee on Stock

to whom was referred S.F. No. 153 relating to cruelty to animals

have had the same under consideration, and report it back with the recommendation that it be laid on the table

A.D. Wilson Chairman.

MR. SPEAKER:

Your Committee on Stock

to whom was referred S.F. No. 213 A Bill for an act to provide the organization of county cattle growers associations and to delegate powers to the same

have had the same under consideration, and report it back with the recommendation that it be laid on the table

A.D. Wilson Chairman

The Judiciary Committee presented the following report;

MR. SPEAKER:

Your Committee on Judiciary to whom was referred H.B. No 88. An act to provide for the execution of judgments &c,

have had the same under consideration, and report it back ~~with the~~ without recommendation ~~that it be~~

A. F. Phelps Chairman.

The Special Committee having in charge S.B. No. 36. presented the following report;

Mr Speaker; Your select Committee to whom was referred S.B. No 36, have given the same careful consideration and beg leave to report it back to the House with the following amendments; Your committee recommend that the first section be so amended as to read as follows;

Sec. 1. No person shall keep or herd sheep to the number of ten or more at, or within two miles of any city

Town or village in this State, provided; This Act shall not prevent any person from driving sheep to market, or from passing through any City, Town or Village with such animals, or from keeping the same in any enclosure; or from herding for shearing purposes in any city, Town or Village — Provided further that this act shall not apply to any person who owns a Stock Ranche or farm within the above described limits, And your committee recommend the passage of the bill, so amended

Respectfully submitted
A. C. Alford
Chairman,

The Special Committee having in charge H.B. No. 240 presented the following report;

Mr Speaker: Your special Committee to whom was referred H.B. No. 240, would respectfully submit that they have examined the books, and records in the Secretary of State's office, in reference to which an appropriation is asked, and we find unfinished work that should have been done by previous Secretarys of State, as follows;

Some three hundred pages of Certificates of Incorporation, unrecorded. We find that the official correspondence

(a good of which is unpaid and necessary to be preserved, such as requisitions on Governor of other states for fugitives from Justice, and other sealed documents) is merely a record of the filled in blanks of printed forms, copied into tissue paper copying books probably 300 pages to be recorded, We also find without indexes, official correspondence since August, '75. Records of County Officers and incorporation books "A and B." which books should also be rebound as the present covers are very much worn and injured. We find also all state accounts since August 1875 are not transferred to the Ledger. We also find 634 pages of records of certificates of incorporation to be indexed and we would recommend the appropriation of $500— or so much thereof as may be necessary to pay for said work, and would also recommend that cost of copying shall not be allowed to exceed 10ct per folio and that all vouchers in payment therefor shall be subject to the approval of the Governor, and Auditor of this state, We find that the statement of the unfinished work, made to this House by the Secretary of State is correct, but in the opinion of your Committee it is not

necessary to record all of the official correspondence, nor is it it necessary to re-record books "A" and "B" if they be rebound, nor is it properly the duty of the present Secretary of State, to compare the records of his predecessors with the original documents, nor, to correct any errors that may have been made in such record by his predecessors.

C. H. McIntyre.
Geo C. Griffin.
Richard Irwin.

The following communication was received from His Excellency, The Governor;

State of Colorado
Executive Dept
Denver Feby 23, 1877.

Hon M S Anthony
Speaker of House of Representatives
Sir

I have the honor to inform you, that I have this day signed House Bills Nos. 251 and 259 and have filed the same with the Secretary of State

Very respectfully
John L Routt
Governor

C

H.C.R. No. 19 Providing for a Special Joint Committee on Compilation.

Was taken up for consideration

Mr Rand moved that the resolution be adopted,

Which motion prevailed

H.C.R. No. 20, Invitation to adjournment Sine die on the 10th of March

Was taken up for consideration,

Mr Rand moved that the resolution be adopted,

Mr Watts moved ~~that~~ to amend the resolution by adding thereto the following; Provided that all the work necessary to be done by this General Assembly is accomplished by that time,

Mr McCurdy moved that further consideration of the resolution be postponed until March 1st 1877.

Upon the motion to postpone,

Mr Langford demanded the "Yeas" and "Nays"

Which were had with the following result;

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS~~, ALFORD, ~~ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN~~, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND~~, RANSOM, ~~SCHINNER, SEIBER, SIMMONS~~, SMITH, ~~STOKES, SURLES, VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 15

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD~~, ARCHULETA, CANFIELD, ~~CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL~~, GOTTHELF, GREEN, ~~GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD~~, LUTHER, MAYER, MARSHMAN, ~~McBROOM, McDERMITT, McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, RAND, ~~RANSOM~~, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 25

Gentlemen absent and not voting were:

Alberts, Helm, Lake, Laragoite, Leonard, Moss, Patten, Surles, Vijil — 9

And so the motion to postpone did not prevail.

The question recurring upon the motion to amend,

Mr Phelps demanded the "Yeas" and "Nays"

Which were had with the following result:

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD~~, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN~~, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND~~, RANSOM, ~~SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 10

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL~~, GOTTHELF, GREEN, ~~GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD~~, LUTHER, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, RAND, ~~RANSOM~~, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 20

Gentlemen absent and not voting were:

Alberts, Helm, Lake, Laragoite, Leonard, Moss, Patten, Surles, Vijil

And so the motion to amend did not prevail,

The question recurring upon the motion to adopt the resolution,

Mr Rand demanded the "Yeas" and "Nays" ~~to~~

Which were had with the following result;

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL~~, GOTTHELF, GREEN, ~~GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD~~, LUTHER, MAYER, MARSHMAN, ~~McBROOM~~, ~~McDERMITT~~, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, RAINEY, RAND, ~~RANSOM~~, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, ~~SURLES, VIJIL~~, ~~WATTS, WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~ — 26.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA~~, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN~~, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN~~, McBROOM, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND~~, RANSOM, ~~SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL~~, WATTS, WILKINS, ~~WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. — 14

Gentlemen absent and not voting were:

Alberts, Arlen, Lake, Laragoite, Leonard, Moss, Patten, Surles, Vijil 9

And so the motion to adopt the resolution prevailed.

The Speaker announced as the Committee on the part of the House provided for in H.C.R. No. 19, Messrs Phelps, Irwin and Kittredge.

Mr Morehouse moved that the order of business be suspended and that the House resolve itself in Committee of the whole for the further consideration of

H.B. No. 37.

Which motion prevailed.

And the House resolved itself into Committee of the whole, ~~th~~ And Mr Adams resumed the chair.

After some time spent therein the Committee rose and through its Chairman presented the following report;

Mr Speaker; The Committee of the whole House have had under further consideration

H.B. No. 37. A Bill for an act to establish and maintain a system of free schools.

Have gone through therewith and made numerous amendments thereto, and instructed me to report the same back to the House with the recommendation that the amendments be agreed to and ordered printed

Alva Adams.
Chairman.

Mr McIntyre moved that the report of the Committee of the whole be agreed to,

Which ~~motion~~ motion prevailed,

Mr Phelps moved that H.B. No. 22 be made a Special Order for Tuesday next,

immediately after the reading of the Journal, in Committee of the whole,

Which motion prevailed,

Mr Phelps moved that the report of the Special Committee in relation to H.B. No. 245 be ordered printed,

~~Which motion was lost,~~

Mr Kittredge moved that the House do now take a recess until two o'clock ~~this~~ afternoon,

Which motion prevailed,

And at 11:57 a M the House took a recess

At two P.M. the House was called to order by the Speaker,

Mr Canfield moved that Mr McBroom be granted leave of absence for the afternoon,

Which motion prevailed,

The Joint Committee on Enrollment presented the following report;

MR. SPEAKER:

The Joint Committee on Enrollment presented S.B. No 70

to his Excellency, the Governor, for his approval, at 11 40 o'clock, a. m., Feby 24. AD 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

Mr Kittredge moved that the consideration of Senate amendments to H.B. No. 87 be made a Special Order for Monday next, immediately after reading the Journal,

Mr A.D. Wilson moved an amendment that it be made a Special Order for Wednesday,

Which motion was lost

The question recurring upon the motion to make a Special Order for Monday

The motion prevailed.

Mr Rand moved that S.B. No 37 be ordered printed as amended,

Which motion was lost.

H.B. No. 88 a Bill for an act to provide for the execution of judgments in civil actions in the Courts of Colorado.

Was read a first time,

H.B. No 243 a Bill for an act to amend &c 's of an act to authorize the County Commissioners of Douglas County to provide a fund for the erection of public buildings, approved July 13, 1874.

Also

H.B. No. 96 a Bill for an act authorizing Clerks of the District and Circuit Courts ~~to~~ of the United States, in the State of Colorado to take ~~act~~ affidavits, acknowledgment of deeds, lands chattel mortgages, and other instruments of writing, and also to take depositions of witnesses in civil actions,

Was read a second time,

And placed on General Orders to be considered in Committee of the whole House,

Reports of Committees were taken up and disposed of as follows;

Report of the Committee on Stock, relative to H.B. No. 153, and H.B. No 213, recommending that they be laid on the table,

Mr Randmond moved that the report of the Committee be agreed to,

Which motion prevailed,

Report of the Special Committee having in charge H.B. No. 36. recommending certain amendments thereto,

Mr Alford moved that the report of the committee be agreed to,

Which motion prevailed.

Report of the Special Committee having in charge H.B. No. 240 recommending certain amendment thereto,

The report and bill were placed on General Orders to be considered in Committee of the whole House

Mr Canfield moved that Mr Smith be excused from attendance upon the remainder of the afternoon session of the House,

Which motion prevailed,

Mr Adams introduced the following resolution;

Resolved, That it is the

Clerk of this House, that no member shall be entitled to his per diem while absent for more than one week."

Mr Rand moved that the resolution be adopted,

And upon the motion to adopt,

Mr McIntyre demanded the "Yeas and Nays"

Which were had with the following result;

Gentlemen voting in the affirmative were:

Adams

~~ADAMS~~, ~~ALBERTS~~, ALFORD, ~~ARCHULETA~~, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, ~~GREEN~~, GRIFFIN, ~~HELM~~, ~~IRWIN~~, KITTREDGE, KRUSE, ~~LAKE~~, ~~LANGFORD~~, ~~LARAGOITE~~, ~~LEONARD~~, LORD, ~~LUTHER~~, MAYER, MARSHMAN, ~~McBROOM~~, ~~McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, ~~PATTEN~~, ~~PHELPS~~, ~~PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, ~~SURLES~~, ~~VIGIL~~, ~~WATTS~~, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~. — 29.

Gentlemen voting in the negative were:

~~ADAMS~~, ~~ALBERTS~~, ~~ALFORD~~, ~~ARCHULETA~~, ~~CANFIELD~~, ~~CHACON~~, ~~CHAVES~~, ~~CARLILE~~, ~~ESQUIBEL~~, ~~GOTTHELF~~, GREEN, ~~GRIFFIN~~, ~~HELM~~, ~~IRWIN~~, ~~KITTREDGE~~, ~~KRUSE~~, ~~LAKE~~, LANGFORD, ~~LARAGOITE~~, ~~LEONARD~~, ~~LORD~~, ~~LUTHER~~, ~~MAYER~~, ~~MARSHMAN~~, ~~McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE~~, ~~MOSS~~, ~~PATTEN~~, ~~PHELPS~~, PIERCE, ~~RAINEY~~, ~~RAND~~, ~~RANSOM~~, ~~SCHINNER~~, ~~SEIBER~~, ~~SIMMONS~~, ~~SMITH~~, ~~STOKES~~, ~~SURLES~~, ~~VIGIL~~, WATTS, WILKINS, ~~WILSON, A. D.~~, ~~WILSON, GEO. W.~~, ~~YOUNG~~, MR. SPEAKER. — 8

Gentlemen absent and not voting were:

Alberts, Archuleta, Helm, Irwin, Lake, Laragoite, Leonard, Luther, McBroom, Moss, Patten, Phelps, Surles, Vigil. — 14.

And so the motion to adopt the resolution prevailed,

Mr Kittredge moved ~~that~~ that the Senate be requested to return to the House for further action H.C.R. No 20.

Mr Rand moved as an amendment, that ~~the Senate~~

they be not requested to return,

Which motion was lost;

The question recurring upon the motion to request the return of HCR No. 20

The motion prevailed,

At 3:10 P.M.

Mr Morehouse moved that the House do now adjourn

And upon the motion to adjourn,

Mr Stokes demanded the "Yeas" and "Nays"

Which were had with the following result;

Gentlemen voting in the affirmative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA~~, CANFIELD, CHACON, CHAVES, ~~CARLILE~~, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER~~, MARSHMAN, ~~McBROOM, McDERMITT, McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, ~~RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS~~, WILKINS, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 9.

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD, CHACON, CHAVES~~, CARLILE, ~~ESQUIBEL~~, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, ~~LUTHER~~, MAYER, ~~MARSHMAN, McBROOM~~, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN, PHELPS~~, PIERCE, ~~RAINEY~~, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, ~~SURLES~~, ~~VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 24

Gentlemen absent and not voting were:

Alberts, Helm, Irwin, Lake, Laragoite, Leonard, Luther, McBroom, Moss, Patten, Phelps, Surles, Vijil — 13

And so the motion to adjourn did not prevail,

Mr McCulloch moved that Mr Morehouse be granted

leave of absence for the remainder of the afternoon.

Which motion prevailed,

Mr Price moved that Mr A D Wilson be granted leave of absence for the remainder of the afternoon,

Which motion was lost,

Mr Ramsay moved that the House go into Committee of the whole for the consideration of H.B. No. 174 and other bills on General Order,

Which motion prevailed,

And the House resolved itself into committee of the whole with Mr McIntyre in the Chair,

After some time spent therein the Committee arose and through its chairman presented the following report;

Mr Speaker:- The Committee of the whole House have had under consideration

H.B. No. 174. A Bill for an act concerning damages and to repeal an act entitled an act concerning damages, Approved July 8. 1822

C H McIntyre
Chairman

At 4:18 P.M.
Mr Wilkins moved
that the House do now adjourn,
Which motion was
lost.

At 4:21 P.M.
Mr Canfield moved
that the House do now adjourn,
to 10 A.M. Next Monday

Mr Ransom moved
that the House do now adjourn,
Which motion was lost.
The question recurring
upon the motion to adjourn to
10 A.M. next Monday,
The motion prevailed,
And at 4:22 P.M.
the House adjourned

5

House Journal
of the
Seventy Assembly
of the
State of Colorado

Sixty Session

Eighty-Eighth Day

Eighty-Eighth Day

Monday Feby 26 1877

House met at

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA~~, CANFIELD, [redacted], CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, [redacted], IRWIN, KITTREDGE, KRUSE, [redacted], LANGFORD, [redacted], LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, [redacted], PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 43

Being a quorum of the House.

Absent - Messrs Chacon, Hulen, Lake, Laraguite, & Leonard, Mess — 6

Mr Rand moved that Mr Chacon be granted leave of absence for four days,

Which motion prevailed,

The Journal of the previous days session was being read, when

Mr Rand moved that the further reading of the Journal be dispensed with,

Which motion was lost,

And the reading of the Journal was completed, and approved as read,

The following message was ~~read and upon~~ received from the Senate,

State of Colorado:
Senate Chamber
Denver Feby 26, 1899

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has adopted H.C.R. No 19. "In relation to Joint Special Committee on Compilation" and has appointed Messrs Haynes, Webster and Clelland on such Committee on part of the Senate,

Also, That the Senate has concurred in the following amendments proposed by the House to S.B. No. 61 viz:

Amendment to Title,

Amendments to Sections 8, 12, 19, 20, 22 all but first amendment to Section 25, amendments to Sections 32, 40, 46, 48, 49 51, 56, 57, 59 65, 71, 73, 74, 81, 82, 85, 100, 103, 104, 106, 108, 110, 117, 123, 126, 127 129, 130, 134 and 142, refuses to concur in the following: Amendments to Sections 9, 53, 62, 111, 112, and 116 and first amendment to Sec. 25, and has passed a substitute for House substitute for Section 115 and requests the concurrence of the House therein,

Also

That the Senate has passed H.B. No. 95. "To repeal an act entitled lim-

itutions" which is herewith transmitted;

Also

That the Senate Upon the request of your Honorable Body herewith transmits S.B. No. 8. "A Bill for an act regarding the Power of granting and dissolving Injunctions"

Also

That the Senate herewith returns HCR No. 20 "Der relation to adjournment" as per request

Respectfully
Geo F Clark
Secy of the Senate

The House having arrived for the consideration of the Special Order,

Being Senate amendments to H.B. No. 89, the Code

Mr Randwood that the amendments be referred to the Judiciary Committee,

And upon the motion to refer,

Mr Canfield demanded the "Yeas" and "Nays"

Which were had with the following result;

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ~~ALFORD, ARCHULETA, CANFIELD, CHACON~~, CHAVES, CARLILE, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS, PIERCE~~, RAINEY, RAND, ~~RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES~~, VIJIL, ~~WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. — 10

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS~~, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, ~~RAINEY, RAND~~, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~. — 32

~~Gentlemen absent and not voting were:~~

Chacon, Helm, Lake, Laragoite, Leonard, Moss — 6.

And as the motion to refer did not prevail, Mr Kittredge moved that the House concur in the Senate amendments

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON~~, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, ~~GREEN~~, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN, PHELPS, PIERCE~~, ~~RAINEY, RAND~~, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, STOKES, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D., WILSON, GEO. W.~~, YOUNG, ~~MR. SPEAKER~~. — 30

Gentlemen voting in the negative were:

Green

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS~~, PATTEN, PHELPS, ~~PIERCE~~, RAINEY, RAND, ~~RANSOM, SCHINNER, SEIBER~~, SIMMONS, ~~SMITH, STOKES, SURLES~~, VIJIL, ~~WATTS~~, WILKINS, WILSON, A. D., WILSON, GEO. W., ~~YOUNG~~, MR. SPEAKER. — 12.

Gentlemen absent and not voting were:

Chacon, Helm, Lake, Laragoite, Leonard, Moss, Pierce — 7

A constitutional majority

having voted in favor of concurring in the amendments;

The amendments were concurred in,

Mr. Phelps explained his vote as follows;

I vote against concurrence for the same reasons in the main that I voted No on the bill —

Mr Ransom moved that the committee on Enrollment be authorized to employ such additional clerical help as they may deem necessary for the purpose of completing the Enrollment of the Code at an early day,

Which motion prevailed,

The Committee on Printing presented the following report;

Mr Speaker; The Committee on Printing report, Amended H.B. No. 212 printed and corrected as follows; Page 29 Sec 45 line 2 strike out "making his return to" same page Sec 46. line 4 insert "the" between "whereupon" and "said,"

Also amended H.B. No. 246. H.B. No. 132 and House amendment to S.B No. 26, correctly printed

J Curtis Chairman

The Committee on Claims presented the following reports!

MR. SPEAKER:

Your Committee on Claims

to whom was referred H.B. No 239 a Bill for an act for the relief of the widow and heirs of T.E. Shaw

have had the same under consideration, and report it back with the recommendation that it be laid on the table

T. J. Watts Chairman.

MR. SPEAKER:

Your Committee on Claims

to whom was referred H.B. No 269 a Bill for an act to provide for the payment of the late Territorial Judges

have had the same under consideration, amended it and report it back with the recommendation that it be passed

T J Watts Chairman.

MR. SPEAKER:

Your Committee on Claims

to whom was referred H.B. No. 72 A bill for an act for the relief of Hiram A. Vanevery

have had the same under consideration, and report it back with the recommendation that it be laid on the table

F. J. Walker Chairman.

The Committee on Immigration presented the following report:

MR. SPEAKER:

Your Committee on Immigration

to whom was referred H.B. No. 137 An act on the subject of aliens

have had the same under consideration, and report it back with the recommendation that it be laid on the table

Chas. R. Seiber Chairman.

The Committee on Agriculture presented the following report:

MR. SPEAKER:

Your Committee on Agriculture to whom was referred H.B. No. 143, A Bill for an Act relating to Public Contracts

have had the same under consideration, and report it back with the recommendation that it be laid on the table

D. F. Rainey Chairman.

The Committee on Fees and Salaries presented the following report:

MR. SPEAKER:

Your Committee on Fees and Salaries to whom was referred H.B. No. 252 An Act relating to the exemption of Firemen as such and from paying a poll tax in certain cities in the State of Colorado

have had the same under consideration, and report it back with the recommendation that it be indefinitely postponed

F. C. Simmons Chairman.

H.B. No. 61, was taken up for further consideration,

The House having made amendments thereto,

And the Senate having refused to concur in some of the said amendments,

~~Mr Cheeseman moved that~~ the House recede from its amendments to Sec 9.

Which motion prevailed,

Mr A.D. Wilson moved that the House recede from its amendment to sec. 25,

Which motion prevailed,

Mr Irwin moved that the House insist on its amendments to Sec 53.

Mr Phelps moved as an amendment that the House insist on its amendments to Sections 53, 62, 111, 112 and 116 ~~and ask a committee of Conference thereon~~,

Which motion prevailed,

Mr Phelps moved that the vote by which the House receded from its amendments to Sec 25, be reconsidered,

Which motion prevailed,

~~The question recurring upon the motion to recede,~~

Mr Phelps moved that the House insist,

Which motion prevailed;

Mr A.D. Wilson moved that the House refuse to concur in the Senate amendments to Sec. 175, and insist on its amendments to the same Section;

Which motion prevailed;

H.B. No. 88 a Bill for an act to provide for the execution of judgments in civil actions in the State of Colorado,

Was read a second time,

And placed on General Orders to be considered in Committee of the whole House,

Reports of Committees were taken up and disposed of as follows;

Report of the Committee on State Institutions, relative to H.B. No. 137, recommending that it be laid on the table; also

Report of the Committee on Immigration, relative to H.B. No. 137, recommending that it be laid on the table; also

Report of the Committee on Road and Bridges, relative to H.B. No. 248 recommending that it be laid on the table; also

Report of the Committee on

Agriculture, relation to H.B. No. 143, recommending that it be laid on the table,

Mr. Ransom moved that the report be agreed to;

Which motion prevailed.

Report of the Committee on Claims, relation to H.B. No. 97, ~~rec~~ recommending that it be laid on the table,

Mr Rand moved that the report of the committee be agreed to,

Which motion prevailed,

Report of the Committee on Claims, relation to H.B. No. 234, recommending that it be laid on the table,

Mr Patten moved that the report be agreed to,

Which motion prevailed,

Report of the Committee on Fees and Salaries, relation to H.B. No. 257 recommending that it be indefinitely postponed,

Mr A D Wilson moved that the report of the committee be be agreed to,

Which motion prevailed,

H.B. No. 36, A Bill for an act to prohibit the trading of ships in the neighborhood of

Citizens and Towns

Warned a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON~~, CHAVES, CARLILE, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM~~, IRWIN, ~~KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY~~, RAND, RANSOM, SCHINNER, SEIBER, ~~SIMMONS~~, SMITH, ~~STOKES, SURLES, VIJIL~~, WATTS, WILKINS, WILSON, A. D., ~~WILSON, GEO. W., YOUNG~~, MR. SPEAKER. — 24.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE~~, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN~~, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, ~~RAND, RANSOM, SCHINNER, SEIBER~~, SIMMONS, ~~SMITH, STOKES~~, SURLES, VIJIL, ~~WATTS, WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~. — 17.

Gentlemen absent and not voting were:

Adams, Chacon, Helm, Lake, Laragoite, Leonard, Moss, Stokes — 8.

A constitutional majority not having voted in favor of the passage of the bill,

The bill failed to pass.

The Committee of Conference on S.B. No. 28. presented the following report;

Mr Speaker;

Your Committee of Conference to which was referred certain proposed amendments to S.B. No. 28. relation to elections, have had the same under consideration, and have agreed to insert section 66 which was put in the bill as an amendment of the House of Representatives, amended so as to read as follows viz;

Every elector of this state, for the election of President and Vice President of the United States, hereafter elected, who shall attend and give his vote for those officers, at the time and place appointed by law, shall be entitled to recieve the sum of five dollars per day for each days attendance at such election, and fifteen cents per mile for each mile he shall travel in going to and returning from the place where the electors shall meet by the most usual travelled route, to be paid out of the ~~usual~~ general contingent fund and the Auditor of State shall audit the amount and draw his warrant for the same, There shall be an election held in this State, for the election of such electors at the time appointed by any law of the Congress or the Constitution of the United States for such election, and when such election shall be special the same shall be called, held, and the votes polled canvassed in all respects as at a general election, and the duties of the electors so elected shall be the same as prescribed by law for electors elected at a general election"

Your committee thus

also agreed to the amendment to Section 10 of as proposed by the House of Representatives

All of which is respectfully submitted.

S. B. A Haynes.
H. P. Bennet.
A. H. De France
} Committee on the part of the Senate

Richard Irwin
P. E. Morehouse
A. C. Phelps
} Committee on the part of the House

Mr Kruse moved that the report of the Committee of Conference be agreed to,

Mr A D Wilson asked for a division of the question,

And the vote was first taken upon the motion to agree to that portion of the report relating to Art. 6th,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON~~, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE, LANGFORD, LARAGOITE, LEONARD~~, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, ~~RAINEY~~, RAND, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 35

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE,~~ LANGFORD, ~~LARAGOITE, LEONARD, LORD~~, LUTHER, ~~MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 5

Gentlemen absent and not voting were:

Chacon, Helm, Lake, Laragoite, Leonard, Moss, Rainey, Stokes, Wilkins — 9.

A constitutional majority having voted in favor of agreeing to that portion of the report relating to Sec 66.

It was agreed to.

The question then recurring upon the motion to agree to that portion of the report relating to Sec, 104.

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON, CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, GREEN, GRIFFIN, ~~HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER~~, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, ~~SEIBER~~, SIMMONS, ~~SMITH, STOKES~~, SURLES, VIJIL, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 29

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON~~, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, ~~MAYER, MARSHMAN, McBROOM~~, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER~~, SEIBER, ~~SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS~~, WILKINS, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 12

Gentlemen absent and not voting were:

Chacon, Helm, Lake, Laragoite, Leonard, Moss, Smith, Stokes — 8

A constitutional majority having voted in favor of agreeing to that portion of the report relating to Sec 10 of.

It was agreed to,

Mr Adams moved that the House do now take a recess until two o'clock this afternoon,

Which motion prevailed,

And at 12 M the House took a recess.

The Speaker called the House to order at 2 P.M.

Mr Adams was granted leave of absence for the afternoon,

Mr Ransom moved that

the order of business be suspended and that the House resolve itself into committee of the whole for the consideration of H.B. No. 212. and other bill on Federal Orders,

Which motion prevailed.

And the House resolved itself into committee of the whole, With Mr Smith in the chair,

After some time spent therein the Committee arose and through its chairman presented the following report;

Mr Speaker;—The Committee of the whole House have had under consideration,

H.B. No. 212, a bill for an act in relation to Municipal Corporations,

And instruct me to report progress and ask leave to sit again,

A A Smith
Chairman

The Committee on Engrossment presented the following report;

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 174 A Bill for an act concerning damages and to repeal an act entitled an act concerning damages, approved Feby 8, 1872

and find the same correctly engrossed.

N. C. Alford, Chairman.

The Joint Committee on Enrollment presented the following report;

MR. SPEAKER;

The Joint Committee on enrollment have examined S.B. No. 32 An act to establish a State Board of Agriculture and to define ~~its~~ its duties,

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

Mr Canfield moved that H.B. No. 174 be now read a third time and put upon its final passage,

Which motion prevailed,

and

H.B. No. 174. A Bill for an act concerning damages, and to repeal an act ~~concerning~~ entitled an act concerning damages, approved Feby 8. 1872.

Was read a third time.

Mr Phelps moved to amend Sec. 1 by striking out the words "minor child or children", and inserting in lieu thereof the words "heirs or heirs at law",

Which motion prevailed.

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ARCHULETA, CANFIELD, ~~CHACON~~, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD, LORD~~, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 34

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD~~, LORD, ~~LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~ — 2.

Gentlemen absent and not voting were:

Adams, Chacon, Helm, Irwin, Lake, Laragoite, Leonard, Moss, Stokes, A. D. Wilson — 10.

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

At 9:40 P.M., the Speaker, in the Presence of the House, signed

H.B. No. 37. A Bill for an act to establish a State Board of Agriculture and to define its duties.

The Committee on Enrollment presented the following report;

MR. SPEAKER:

Your Committee on Enrollment have examined H.B. No. 95 A Bill for an act to repeal an act to amend chapter 55 of the revised statutes of Colorado entitled limitations, approved Feb. 1896 and relating to new promises

and find the same correctly enrolled.

Geo Rand, act'g.
~~A. A. Smith,~~ *Chairman.*

By consent
Mr Watts moved that the vote upon the passage of S.B. No. 8, be made a Special Order for tomorrow morning immediately after the reading of the Journal,

Which motion prevailed.

Mr McCutcyn moved that the House do now adjourn,

Which motion prevailed.

And the House adjourned to 9:15 A.M. tomorrow, Tuesday Feby 27 1849.

Minn

House Journal

of the

General Assembly

of the

State of Colorado

First Session

Eighty-Ninth Day

Eighty-Ninth Day

Tuesday Feby 27th 1877.

House met at 9:15 a.m.

Speaker in the chair.

Prayer by the chaplain.

~~The roll was called,~~

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD, CHACON~~, CHAVES, CARLILE, ~~ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE,~~ LANGFORD~~, LARAGOITE, LEONARD~~, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER — 42.

Being a quorum of the House.

Absent Messrs Canfield, Chacon, Helm, Lake, Laragoite, Leonard, Moss. 7.

Journal of the previous days session was read and approved.

Mr Kittredge moved that Mr Helm be granted a further leave of absence for the remainder of this week.

Which motion prevailed.

Mr Marshman moved that Mr Lake be granted a further leave of absence for the remainder of this week.

Which motion prevailed.

The vote upon the final passage of

S.B. No. 8, a Bill for

an Act regulating the power of granting and disolving injunctions and restraining orders, and the mode of obtaining mandatory writs of injunctions and the practice under each in case of disobedience, and to repeal Chapter 43 of the Revised Statutes and Section 2 of an Act concerning mines, approved February 13, 1874, and the Act amendatory thereof, entitled an Act to amend an Act entitled an Act concerning mines, approved February 13th, 1874, and approved February 11th, 1876.

Having been made a Special Order for this morning immediately after the reading of the journal,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD, CHACON~~, CHAVES, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, ~~GRIFFIN, HELM~~, IRWIN, KITTREDGE, KRUSE, ~~LAKE, LANGFORD, LARAGOITE, LEONARD~~, LORD, ~~LUTHER~~, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, ~~STOKES~~, SURLES, VIJIL, WATTS, WILKINS, ~~WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER. — 36

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~ — 0.

Gentlemen absent and not voting were:

Canfield, Chacon, Gotthelf, Griffin, Helm, Lake, Laragoite, Leonard, Moss, A D Wilson — 10.

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

And the House ordered that the bill take effect immediately upon its final passage as provided in the emergency clause therein contained.

H B No. 22. A Bill for an Act to repeal all existing laws in relation to the organization, jurisdiction, powers, proceedings and practice of the County Courts of the State of Colorado, and to enact other provisions in lieu thereof,

Having been made a Special Order for this hour

The House resolved itself into Committee of the whole,

With Mr McIntyre in the Chair,

After some time spent therein the Committee arose and through its chairman presented the following report,

Mr Speaker:- The Committee of the whole House have had under consideration

H B. No. 22. A Bill for an act to repeal all existing laws in relation to the organization, jurisdiction, powers, proceedings and practice of the County Courts of the State of Colorado, and to enact other provisions in lieu thereof,

Have made numerous amendments thereto, and instruct me to report the same back to the House and recommend that the amendments be agreed to

C H McIntyre,
Chairman.

Mr Teller moved that the report of the Committee of the whole be agreed to,

Which motion prevailed

And the amendment proposed by the committee of the whole were ordered printed,

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver February 27. 1877

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate insists on its disagreement with House amendments to S.B. No. 61. "Concerning Counties etc," and asks for the appointment of a Committee of Conference.

S.B. No. 61. is herewith transmitted

Respectfully
Geo S Clark
Secy. of the Senate.

The Joint Committee on Enrollment presented the following report;

MR. SPEAKER;

The Joint Committee on enrollment have examined H.B. No. 95, An Act to amend Chapter number 55 of the revised Statutes of Colorado entitled Limitations" approved Feby 4 1876 and relating to new promises

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

At 11,55 A.M. the Speaker, in the presence of the House, signed, H.B. No. 95. A Bill for an act to amend Chap. 55 of the revised statutes of Colorado, entitled limitations Etc,

Mr Phelps moved that the request of the Senate for a Committee of Conference on S.B. No. 61, be complied with,

Which motion prevailed,

And the Speaker announced as such Committee on the part of the House,

Messrs McIntyre, Irwin and Phelps,

Mr McIntyre moved that the vote by which S.B. No. 36 failed to pass, be reconsidered

Which motion prevailed,

Mr Phelps moved that the final passage of S.B. No. 36, be made a Special Order for tomorrow immediately after the reading of the Journal.

Which motion prevailed,

Mr Phelps moved that the House take a recess until two o'clock this afternoon,

Which motion prevailed,

And at 12. M. the House took a recess

The House was called to Order at by the Speaker at two o'clock in the afternoon,

Mr Kittredge moved that the order of business be suspended, and that the House resolve itself into Committee of the whole for the further consideration of S.B. No. 212,

Which motion prevailed,

And the House resolved itself into committee of the whole,

And Mr Smith resumed the chair,

After some time spent

Herein the Committee arose and through its Chairman presented the following report:

Mr Speaker:- The Committee of the whole House have had under further consideration

H.B. No. 212 A Bill for an act in relation to Municipal Corporations

And instruct me to report the same back to the House with the recommendation that amendments made by committee of the whole be agreed to, and that it be referred to a Special Committee of five.

W. A. Smith
Chairman,

Mr Rand moved that the report of the Committee be amended by striking out that portion relative to referring to Special Committee of five.

Which motion was lost.

Mr Simmons moved that the report of the committee of the whole be agreed to,

Which motion prevailed,

And the amendments proposed by the Committee of the whole were ordered printed.

The Joint Committee on Enrollment presented the following

report

MR. SPEAKER:

The Joint Committee on Enrollment presented S.B. No. 77

~~to his Excellency, the Governor, for his approval, at 12 o'clock P. M.,~~

Feby 27 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

The following message was received from the Senate:

State of Colorado
Senate Chamber
Denver Feby 27. 1877.

To the Honorable
The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has passed S.B. No. 53. "A Bill for an act to authorize the District Courts to allow Fees to Counsel assigned to Prisoners in certain cases"

S.B. No. 257. entitled "A Bill for an act to legalize the proceedings of Probate Courts of certain Counties heretofore had in divorce cases"

S.B. No. 81 entitled "A Bill for an act to authorize the Governor of the State to make

on the General Government a Requisition for Arms and to give Bond for the same."
S.B. No. 179. entitled "a Bill for an act concerning the State Board of Health" and
H.B. No. 69 entitled "A Bill for an act authorizing County Clerks in the State of Colorado to administer oaths"
All of which is herewith transmitted.
The concurrence of the House is requested in Senate Bills No. 81 and 53 and 179.

Respectfully
Geo. F. Clark
Secy of the Senate.

The Speaker announced as the Special Committee to take in charge H.B. No. 212.

Messrs Monkman, Carlile, Phelps, Ransom, & Kruse

S.B. No. 53. A Bill for an act to authorize the District Courts to allow fees to counsel assigned to prisoners in certain cases.

Also

S.B. No. 81. A Bill for an act to authorize the Governor of the State to make on the General Government a requisition for arms and to give bond for the same.

Also

S.B. No. 179 A Bill for an act concerning the State Board of Health,

paying the Territorial Judges

Was read a first time,

~~act to pro~~ H.B. No. 26 "A Bill for an act to provide for the formation of Corporations,

Was read a third time,

Pending the third reading,

Mr Rand moved that Mr McIntyre be granted leave of absence ~~for the remainder of the afternoon~~,

Mr Phelps moved that the motion to excuse be laid on the table,

Which motion was lost,

The question recurring upon the motion to excuse Mr McIntyre

The motion prevailed,

Mr Rand also moved that the House take a recess for ten minutes,

Which motion was lost,

Mr Langford moved to amend Sec. 111 by striking out the Sixth Sub-division

Which motion was lost

Upon the completion of the third reading,

Mr Simmons moved to amend Sec. 131 by striking out the word "affect" and inserting in lieu thereof the word "impair," insert the words "lessen the" between "or" and liabilities, by striking out all of the

section after "reorganized" and inserting other words in lieu thereof

Which motion prevailed.

Mr McIntyre moved to amend Sec. 80 by adding thereto a proviso.

Which motion prevailed.

Mr McIntyre moved to further amend Sec. 80 by striking out "shall" and inserting "may" relating to County Commissioners fixing the rates of toll.

Which motion prevailed.

Mr McIntyre moved to further amend Sec. 80 by striking out the words "but not at a higher rate than originally prescribed".

Which motion prevailed.

Mr McIntyre moved to amend the bill by striking out Sec. 111.

Which motion was lost

The amendments above made were ordered printed.

The following communication was received from His Excellency the Governor;

State of Colorado
Executive Dept.
Denver Feby 19. 1877

Hon W. D. Anthony.
Speaker of House of Representatives

Sir:

I have the honor to

inform you, that I have signed House Bills Nos 176 and 207 and have filed the same with the Secretary of State

Very respectfully
John L Routt
Governor

The Joint Committee on Enrollment presented the following report,

MR. SPEAKER:

The Joint Committee on Enrollment presented H.B. No 95

to his Excellency, the Governor, for his approval, at 4 55 *o'clock,* P. *m.,*
Feby 17 *1877*

Geo. W. Wilson,
Chairman on the part of the House of the Joint Com. on Enrollment.

The Committee on Enrollment presented the following report,

MR. SPEAKER:

Your Committee on Enrollment have examined H.B. No. 257 A Bill for an act to legalize the proceedings of Probate Courts of certain Counties heretofore had in divorce cases

and find the same correctly enrolled.

Geo Rand
acting
~~A. A. Smith~~, *Chairman.*

Mr Simmons moved that Mr. Irwin be granted leave of absence for three days,

Which motion prevailed,

Mr Wilkins moved that Mr Prime be excused from ~~att~~ attendance upon the remainder of todays session of the House,

Which motion prevailed

Mr Watts moved that the House do now take a recess until seven oclock this evening

Mr Smith moved that the House do now adjourn

Which motion prevailed

And at 4.50 P.M. the House adjourned to 9.15 AM tomorrow.

Wednesday, February 28, 1877

Journal

of the

General Assembly

of the

State of Colorado

First Session

Ninetieth Day

Twelfth Day

Wednesday Feby 28. 1877

House met at 9:15 a m

Speaker in the chair.

Prayer by the chaplain.

The roll was called,

And the following gentlemen were present and answered to their names:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD, CHACON~~, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. 42

Being a quorum of the House.

Absent Messrs Canfield, Chacon, Helm, Irwin, Lake, Laragoite, Moss — 7

Mr. Rand moved that the House take a recess for thirty minutes, which motion prevailed, And at 9:30 a.m. the House took a recess

At 10 a.m. the Speaker called the House to order,

Journal of the previous days session was read and approved,

The following message was received from the Senate;

State of Colorado
Senate Chamber
Denver Feby 28. 1877

To the Honorable

The House of Representatives
of the State of Colorado,

I am instructed to inform your Honorable body that the Senate has passed S.B. No. 65 "A Bill for an act concerning County Buildings" Also S.B. No. 7 "A Bill for an act to provide for the exemption of ditches and other hydraulic works for irrigation from all legal process except as an integral and inseparable part of the land, The concurrence of your honorable body is respectfully requested, S.B. No. 65 and S.B. No. 7 herewith transmitted

Also

That the Senate has appointed as members of Committee of Conference on S.B. No. 61 concerning Counties (on the part of the Senate) Messrs Hall, Butters and Moynahan

Respectfully
Geo. F. Clark
Secy of the Senate,

The vote upon the final passage of
S.B. No. 36. A Bill for an act to prohibit the landing of ships in the neighborhood of cities and towns

Having been made a special Order immediately after

the reading of the Journal,
The bill was taken up.

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD, CHACON~~, CHAVES, CARLILE, ~~ESQUIBEL, GOTTHELF~~, GREEN, ~~GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, MAYER, MARSHMAN, ~~McBROOM, McDERMITT, McINTIRE, McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, PIERCE, ~~RAINEY~~, RAND, ~~RANSOM~~, SCHINNER, SEIBER, ~~SIMMONS, SMITH~~, STOKES, ~~SURLES~~, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 26.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES~~, CARLILE, ESQUIBEL, GOTTHELF, ~~GREEN, GRIFFIN, HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER, MAYER, MARSHMAN~~, McBROOM, McDERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, ~~RAND, RANSOM, SCHINNER, SEIBER~~, SIMMONS, ~~SMITH, STOKES~~, SURLES, ~~VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.~~ — 11.

Gentlemen absent and not voting were:

Canfield, Chacon, Griffin, Helm, Irwin, Lake, Laragoite, McIntyre, Moss, Patten, Ransom, Smith, — 12

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

The Committee on Engrossment presented the following reports:

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 75, a Bill for an act to provide for the branding, herding and care of stock, and to repeal all prior acts in relation thereto

and find the same correctly engrossed. as amended

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 24, a Bill for an act to prohibit and punish the importation, manufacture and sale of adulterated, imitation and poisonous liquors, and creating a Commissioner of Excise and prescribing his duties,

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 49.
A Bill for an act to amend the existing law of evidence in this State.

and find the same correctly engrossed.

N. C. Alford, Chairman.

MR. SPEAKER:

Your Committee on Engrossment have examined H.B. No. 56.
A Bill for an act regulating certiorari from Justices to the County and District Courts and regulate the practice therein, and to repeal all other acts in relation thereto.

and find the same correctly engrossed.

N. C. Alford, Chairman.

The Committee on Printing presented the following report;

Mr. Speaker; The Committee on Printing report House amendment to S.B. No. 37 as follows; Page 2 strike first time and "may" for "shall" — Also amendments to H.B. No. 75 correctly printed.

F Virlee
Chairman.

The Committee on State Institutions presented the following report;

MR. SPEAKER:

Your Committee on State Institutions to whom was referred H.B. No 210 A Bill for an Act for the relief of J A Nichols

have had the same under consideration, and report it back with the recommendation that it be passed.

Cockthridge Chairman.

MR. SPEAKER:

Your Committee on State Institutions to whom was referred H.B. No. 91 A Bill for an Act concerning libraries

have had the same under consideration, and report it back with the recommendation that it be Laid on the table

C. W. Kittredge Chairman.

MR. SPEAKER:

Your Committee on State Institutions to whom was referred H.B. No. 198. A Bill for an Act to pay the rent of the State Library room

have had the same under consideration and report it back with the recommendation that it be

C. W. Kittredge Chairman.

The Committee on Enrollment presented the following report;

MR. SPEAKER:

Your Committee on Enrollment have examined H.B. No. 67, An Act to authorize County Clerks in the State of Colorado to administer oaths

and find the same correctly enrolled.

A. A. Smith, Chairman.

The Committee on Public Lands presented the following report;

MR. SPEAKER:

Your Committee on Public Lands

to whom was referred H.B. No. 60 A Bill for an act to prevent the firing of Timber and Prairies

have had the same under consideration, and report it back with the recommendation that it be amended as per amendment herewith transmitted

W. H. Price *Chairman*

S.B. No 7. A Bill for an act to provide for the exemption of ditches and other hydraulic works for irrigation from all legal processes, except as an integral and inseparable part of the land,

Also

S.B. No. 65 A Bill for an act concerning unfinished County buildings,

Also

H.B. No. 210. A Bill for an act for the relief of J. A. Nichols

Also

H.B. No. 98. A Bill for an act in relation to the Public Library,

Were read a first time,

S.B. No 53 A Bill for an act to authorize the District Courts to allow fees to counsel assigned to prisoners in certain cases,

Also

S.B. No. 81. A Bill for an act to authorize the Governor of the State to make on the General Government a requisition for arms, and to give bond for the same,

Also

S.B. No. 179. A Bill for an act concerning the State Board of Health,

Were read a second time,

And placed on General Orders to be considered in Committee of the whole House

Mr Prince moved that H.B. No. 86. be taken from the table and ordered to a second reading,

Which motion prevailed,

Reports of Committees were taken up and disposed of as follows;

Report of the Committee on State Institutions relation to H.B. No. 91. recommending that it be laid on the table,

Mr Kittredge moved that the report of the committee be agreed to,

Which motion prevailed,

Report of the committee on Public Lands, relation to H.B. No. 6 v. recommending amendments thereto,

Mr Prince moved that the report of the committee be agreed to,

Which motion prevailed,

By unanimous consent

Mr Prince moved that H.B. No. 6 v. be ordered printed as amended,

Which motion prevailed,

The Joint Committee on Enrollment presented the following report,

MR. SPEAKER:

The Joint Committee on enrollment have examined H.R. No. 257. "An Act to legalize the proceedings of Probate Courts of certain Counties heretofore had in divorce cases" H.R. No. 8 An act regulating the power of granting injunction and restraining orders and the [illegible] practice under each, in cases of disobedience, and to repeal Chap. 43 of the revised Statutes and Sec. 7 of an act concerning mines, approved Feby 13. 1874 and the act amendatory thereof entitled an act to amend an act entitled an act concerning mines approved Feby 13. 1874, and approved Feby 11. 1876

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

H.R. No. 86. A Bill for an act to repeal all laws relating to assay offices,

Was read a second time,

And placed on General Orders to be considered in Committee of the whole House,

At 10:35 AM. the Speaker, in the presence of the House, signed

H.R. No. 257. A Bill for

an act to legalize the proceedings of Probate Courts of certain counties heretofore had in divorce cases

Also

S.B. No. 8. a bill for

AN ACT REGARDING THE POWER OF GRANTING AND DISSOLVING INJUNCTIONS AND RESTRAINING ORDERS, AND THE MODE OF OBTAINING MANDATORY WRITS OF INJUNCTION, AND THE PRACTICE UNDER EACH, IN CASE OF DISOBEDIENCE, AND TO REPEAL CHAPTER 43 OF THE REVISED STATUTES, AND SECTION 2 OF "AN ACT CONCERNING MINES," APPROVED FEBRUARY 13, 1874, AND THE ACT AMENDATORY THEREOF, ENTITLED "AN ACT TO AMEND AN ACT ENTITLED AN ACT CONCERNING MINES," APPROVED FEBRUARY 13, 1874, AND APPROVED FEBRUARY 11, 1876.

S.B. No. 37. a Bill for an act to establish and maintain a system of Free Schools,

Was read a third time

Mr Ransom moved to amend Sec. 91 by striking out the words "the official paper of," and inserting in lieu thereof the words "some newspaper published in," and also after "County" in the same line, insert "if there be any",

Which motion prevailed.

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD, CHACON,~~ CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN,~~ KITTREDGE, KRUSE, ~~LAKE,~~ LANGFORD, ~~LARAGOITE,~~ LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, ~~MOSS,~~ PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, ~~VIJIL,~~ WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 41.

And none ~~Gentlemen voting~~ in the negative ~~were~~:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.

Gentlemen absent and not voting were:

Canfield, Chacon, Helm, Irwin, Lake, Laragoite, Moss, Vijil — 8.

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

And the House ordered that the bill take effect immediately upon its final passage as provided in the emergency clause therein contained.

Mr McCutyn moved that the House do now take a recess until 2 P.M. today,

Which motion prevailed.

And at 12 M. the House took a recess

The Speaker called the House to order at 2 P.M.

The hour having arrived for the consideration of the Special Order, being the motion to reconsider the vote by which H.C.R. No. 80 was passed,

Mr McIntyre moved that the further consideration of this motion be postponed until Monday next, March 5 1877, at 2:30 P.M.

Mr A.D. Wilson moved that the motion to reconsider be laid on the table,

Upon the motion to reconsider,

Mr McIntyre demanded the "yeas" and "nays"

Which were had with the following result

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD, CHACON, CHAVES~~, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, ~~GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE, LEONARD~~, LORD, LUTHER, ~~MAYER~~, MARSHMAN, ~~McBROOM~~, McFERMITT, ~~McINTIRE~~, McMURRAY, ~~MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS, PIERCE~~, RAINEY, RAND, ~~RANSOM, SCHINNER~~, SEIBER, SIMMONS, ~~SMITH~~, STOKES, ~~SURLES~~, VIJIL, ~~WATTS, WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, ~~MR. SPEAKER~~. — 23

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON~~, CHAVES, ~~CARLILE, ESQUIBEL, GOTTHELF, GREEN~~, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE, LANGFORD, LARAGOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, ~~MARSHMAN~~, McBROOM, ~~McFERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND~~, RANSOM, SCHINNER, ~~SEIBER, SIMMONS~~, SMITH, ~~STOKES~~, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG~~, MR. SPEAKER. — 18

Gentlemen absent and not voting were:

Canfield, Chacon, Gotthelf, Helm, Irwin, Lake, Laragoita, Moss, Phelps, Pierce, Wilkins — 11

And so the motion to lay on the table prevailed,

Mr Kittredge moved that Mr Vigil be granted leave of absence for eight days,

Which motion prevailed,

Mr Smith was granted leave of absence until 10. A.M. tomorrow,

The Joint Committee on Enrollment presented the following reports,

---

MR. SPEAKER;

The Joint Committee on enrollment have examined H.B. No. 67. An Act authorizing County Clerks in the State of Colorado to administer oaths

and find the same correctly enrolled.

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

MR. SPEAKER;

The Joint Committee on Enrollment presented H.B. No. 257. and H.B. No 8.

to his Excellency, the Governor, for his approval, at 12 15 *o'clock,* P. *m.,*

July 28, 1877

Geo. W. Wilson,

H.B. No. 24. A bill for an act to prohibit and punish the importation, manufacture and sale of adulterated, imitation and poisonous liquors, and creating a commission of excise, and prescribing his duties;

Was read a third time,

Mr A D Wilson moved that the vote upon the final passage of H.B. No. 24. be made a Special Order for 11. a.m. tomorrow;

Which motion prevailed,

H.B. No. 49. a bill for an act to amend the existing laws of evidence in this State,

Was read a third time.

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ~~ALBERTS~~, ALFORD, ARCHULETA, ~~CANFIELD, CHACON~~, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE~~, ~~LANGFORD, LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, ~~McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, ~~PIERCE~~, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH, STOKES~~, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W.; YOUNG, MR. SPEAKER. — 32.

Gentlemen voting in the negative were:

~~ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE,~~ LANGFORD, ~~LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM,~~ McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER~~. — 3.

Gentlemen absent and not voting were:

Alberts, Canfield, Chacon, Helm, Irwin, Lake, Laragoite, McMurray, Moss, Pierce, Smith, Vijil, Wilkins, A D Wilson — 14

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

H.B. No. 56. A Bill for an act concerning certiorari from Justices of the Peace to County and District Courts, and regulating the practice therein, and to repeal all other acts in relation thereto,

Was read a third time,

The question being upon the passage of the bill,

The "yeas" and "nays" were had.

Gentlemen voting in the affirmative were:

ADAMS, ALBERTS, ALFORD, ARCHULETA, ~~CANFIELD, CHACON, CHAVES,~~ CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE,~~ LANGFORD, ~~LARAGOITE~~, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, ~~SMITH~~, STOKES, SURLES, ~~VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER. — 36.

and Mr A D Wilson — 1

~~Gentlemen voting~~ in the negative ~~were~~:

ADAMS, ALBERTS, ALFORD, ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE, LANGFORD, LARAGOITE, LEONARD, LORD, LUTHER, MAYER, MARSHMAN, McBROOM, McDERMITT, McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE, RAINEY, RAND, RANSOM, SCHINNER, SEIBER, SIMMONS, SMITH, STOKES, SURLES, VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W., YOUNG, MR. SPEAKER.

Gentlemen absent and not voting were:

Canfield, Chacon, Chaves, Helm, Irwin, Lake, Laragoite, McMurray, Moss, Smith, Vijil, Wilkins — 12

A constitutional majority having voted in favor of the passage of the bill,

The bill passed.

And the title was agreed to.

H.B. No. 75, was taken up for a third reading when Mr A D Wilson moved that it be referred to a Special committee of five,

Which motion prevailed

And the Speaker announced as said committee

Messrs Phelps, Archuleta, Carlile, Lord, Ransom,

At 2:45, the Speaker, in the presence of the House, signed

H.B. No. 67. A Bill for an act authorizing County Clerks in the State of Colorado to administer oaths,

The Speaker appointed Mr Carlile as member of the Committee on Conference on S.B. No. 61, in place of Mr Irwin, absent,

By consent,

S.B. No. 24, was taken up for the purpose of proposing amendments thereto,

Mr Phelps moved to amend Sec 1 by striking out the word "not" where it appears in the last line,

Which motion prevailed,

Mr Phelps moved to ~~amend~~ amend Sec. 2 by inserting, between the words "bonds" and "by" in the third line, the ~~...~~ words "and the coupons attached thereto"; also, add after "face" in line 3 the word "thereof"; also strike out all after "face" in line 3 to and including ~~deputy~~ "deputy" in line 6; also insert in line 6

between "what" and "bonds" the words "amount of such"; also after "bonds" in line 6, add "and coupons"; and strike out all after "cancelled" in line 7, and insert "and shall enter on the book of registry of such bonds the fact of such cancellation of both bonds and coupons."

Which motion prevailed.
Mr Phelps moved to amend Sec. 4 as follows:

Insert after the word "state" in tenth line "except the taxes levied, assessed and collected to pay the principal or interest on bonds issued prior to February first, A. D. one thousand eight hundred and sixty-eight, which shall be retained by the county treasurer, to be by him paid out as hereinafter provided."

Which motion prevailed.
Mr Phelps moved that Sec 5 be amended as follows:

Insert after word "aforesaid" in first line, as follows:—

"Except [illegible] prior to February first, A. D. one thousand eight hundred and sixty-eight."

Which motion prevailed.
Mr Phelps moved to add to ~~Sec. 6~~ the following as Sec. 6;

"Whenever there shall be a surplus of funds arising from taxes levied, assessed and collected for the payment of interest on bonds issued prior to February first, A. D. one thousand eight hundred and sixty-eight, after the payment of interest due, such surplus shall be held and applied by the board of county commissioners of the county issuing such bonds to the purchase of such bonds for cancellation; and when any such bonds shall be so purchased, the same shall be returned to the county clerk of the county, who shall cancel the same and all coupons attached thereto, in the manner hereinabove provided; and all taxes levied, assessed and collected for the payment of principal or interest of such bonds, shall be by the county treasurer of the county paid out either for the purchase of bonds for cancellation as aforesaid, or for the payment of accrued interest or the principal of said bonds, as the board of county commissioners shall direct; and it shall be the duty of such county treasurer to remit annually to such agent as the said board may direct, or may be designated by law, the amount of money collected for the payment of interest of such bonds or such portion thereof as the said board may direct; and such agent shall report the payments made, together with the cancelled coupons or bonds so paid, to the county treasurer, who shall thereupon report to the county commissioners and return to the county clerk all such bonds and coupons for cancellation."

Mr Ransom moved that the proposed amendments be ordered printed before final action thereon,
Which motion was lost,
The question recurring upon the motion to insert a new section,
The motion prevailed,
Mr Kittredge moved that the House do now go into Committee of the whole for the consideration of ~~H.B.~~ No. 86. and other bills on General Orders,
"Which motion prevailed,

And the House resolved itself into Committee of the whole, with Mr Stokes in the Chair: After some time spent therein the Committee arose ~~and~~ and through its Chairman presented the following report;

Mr Speaker; The Committee of the whole House have had under consideration

H.B. No. 86. a Bill for an act to repeal all laws regarding assay offices,

Have made some amendments thereto, and instruct me to report the same back to the House with the recommendation that the amendment be agreed to; also

S.B No. 25 a Bill for an act to repeal certain laws relating to Corporations,

And instruct me to ~~upo~~ report the same back to the House and recommend its passage; also

S.B. No. 43 a bill for an Act to provide for the Selection, Location, Appraisal, Sale and Leasing of State Lands,

And instruct me to report the same back to the House

with the recommendation that its further consideration be postponed until tomorrow; also

S.B. No. 154 a bill for an act to repeal the acts concerning jails, and to enact other laws in place thereof.

Have made some amendments thereto; and instruct me to report the same back to the House with the recommendation that the amendments be agreed to; also

H.B. No. 96, a bill for an act authorizing clerks of the District and Circuit Courts of the United States in the State of Colorado to take affidavits of deeds, bonds, chattel mortgages and other instruments of writing, and also to take depositions of witnesses in civil cases.

And instruct me to report the same back to the House, with the recommendation that it be indefinitely postponed,

J. H. Stokes,
Chairman.

Mr McDutyre moved that the report of the Committee of the whole be agreed to.

Mr Phelps moved that the report be amended by striking out the recommendation that H.B. No. 96.

be indefinitely postponed, and recommending that the amendments thereto made be agreed to,

And upon this motion Mr Phelps demanded the "Yeas" and "Nays"

Which were had with the following result;

Gentlemen voting in the affirmative were:

~~ADAMS~~, ALBERTS, ALFORD, ~~ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL~~, GOTTHELF, ~~GREEN, GRIFFIN, HELM, IRWIN, KITTREDGE~~, KRUSE, ~~LAKE, LANGFORD, LARACOITE~~, LEONARD, ~~LORD, LUTHER~~, MAYER, MARSHMAN, ~~McBROOM, McDERMITT~~, McINTIRE, ~~McMURRAY~~, MOREHOUSE, ~~MOSS~~, PATTEN, PHELPS, ~~PIERCE, RAINEY, RAND~~, RANSOM, ~~SCHINNER~~, SEIBER, SIMMONS, ~~SMITH, STOKES~~, SURLES, ~~VIJIL, WATTS, WILKINS, WILSON, A. D., WILSON, GEO. W.~~, YOUNG, MR. SPEAKER. — 17

Gentlemen voting in the negative were:

ADAMS, ~~ALBERTS, ALFORD~~, ARCHULETA, ~~CANFIELD, CHACON, CHAVES~~, CARLILE, ESQUIBEL, ~~GOTTHELF~~, GREEN, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, ~~KRUSE, LAKE, LANGFORD, LARACOITE, LEONARD~~, LORD, LUTHER, ~~MAYER, MARSHMAN~~, McBROOM, McDERMITT, ~~McINTIRE, McMURRAY, MOREHOUSE, MOSS, PATTEN, PHELPS, PIERCE~~, RAINEY, RAND, ~~RANSOM~~, SCHINNER, ~~SEIBER, SIMMONS, SMITH~~, STOKES, ~~SURLES, VIJIL~~, WATTS, ~~WILKINS~~, WILSON, A. D., WILSON, GEO. W., ~~YOUNG, MR. SPEAKER~~. — 18

Gentlemen absent and not voting were:

Canfield, Chacon, Chaves, Helm, Irwin, Lake, Langford, Laracoite, McMurray, Moss, Pierce, Smith, Vijil, Wilkins. — 14

And so the motion to amend did not prevail,

The question recurring upon the motion to agree to the report of the committee,

The motion prevailed,

The joint committee on Enrollment presented the following report;

MR. SPEAKER:

The Joint Committee on Enrollment presented H.B. No. 6

to his Excellency, the Governor, for his approval, at 5 o'clock, P. m.,
Feby 28 1877

Geo. W. Wilson,

Chairman on the part of the House of the Joint Com. on Enrollment.

Mr Rowson moved that the House do now take a recess until 7:30 this evening,

Which motion was lost,

At 5:38 P.M.

Mr McDonnell moved that the House do now adjourn,

Which motion was lost,

Mr Rand moved that Mr Hunn be granted leave of absence from the remainder of todays session of the House,

Which motion was lost,

At 5:39 P.M.

Mr Rand moved that the House do now adjourn,

And upon this motion Mr McBroom demanded the "Yeas" and "Nays"

Which ~~motion~~ A vote had with the following result,

Gentlemen voting in the affirmative were :

ADAMS, ALBERTS, ~~ALFORD~~, ARCHULETA, ~~CANFIELD, CHACON, CHAVES~~, CARLILE, ESQUIBEL, GOTTHELF, GREEN, ~~GRIFFIN, HELM, IRWIN, KITTREDGE, KRUSE, LAKE~~, LANGFORD, ~~LARAGOITE~~, LEONARD, ~~LORD~~, LUTHER, ~~MAYER~~, MARSHMAN, ~~McBROOM~~, McDERMITT, McINTIRE, ~~McMURRAY, MOREHOUSE, MOSS~~, PATTEN, ~~PHELPS, PIERCE, RAINEY~~, RAND, ~~RANSOM~~, SCHINNER, ~~SEIBER, SIMMONS, SMITH~~, STOKES, SURLES, ~~VIJIL, WATTS, WILKINS~~, WILSON, A. D., ~~WILSON, GEO. W., YOUNG, MR. SPEAKER~~ — 19.

Gentlemen voting in the negative were :

~~ADAMS, ALBERTS~~, ALFORD, ~~ARCHULETA, CANFIELD, CHACON, CHAVES, CARLILE, ESQUIBEL, GOTTHELF, GREEN~~, GRIFFIN, ~~HELM, IRWIN~~, KITTREDGE, KRUSE, ~~LAKE~~, ~~LANGFORD, LARAGOITE, LEONARD~~, LORD, ~~LUTHER~~, MAYER, ~~MARSHMAN~~, McBROOM, ~~McDERMITT, McINTIRE, McMURRAY~~, MOREHOUSE, ~~MOSS, PATTEN~~, PHELPS, ~~PIERCE~~, RAINEY, ~~RAND~~, RANSOM, ~~SCHINNER~~, SEIBER, SIMMONS, ~~SMITH, STOKES, SURLES, VIJIL~~, WATTS, ~~WILKINS, WILSON, A. D.~~, WILSON, GEO. W., YOUNG, MR. SPEAKER — 14.

Gentlemen absent and not voting were :

Canfield, Chacon, Chaves, Helm, Irwin, Lake, Laragoite, McMurray, Moss, Prior, Smith, Vijil, Wilkins — 13.

And so the motion prevailed,

And the House adjourned to 9:15 A.M. tomorrow, Thursday, March 1st 1899